

**SUPPORTING STATEMENT
GULF OF MEXICO ELECTRONIC LOGBOOK
OMB CONTROL NO. 0648-0543**

INTRODUCTION

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) authorizes the Gulf of Mexico Fishery Management Council (Council) to prepare and amend fishery management plans for any fishery in waters under its jurisdiction. National Marine Fisheries Service (NMFS) manages the shrimp fishery in the waters of the Gulf of Mexico (GOM) under the Shrimp Fishery Management Plan (FMP). Regulations implementing the FMP appear at 50 CFR part 622.5. Regulations at 50 CFR part 600 subpart H also pertain.

This request is for a renewal of this information collection.

A. JUSTIFICATION

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

There are currently approximately 1,932 federally permitted vessels that harvest shrimp from the Exclusive Economic Zone (EEZ), and the Council estimates that there are over 13,000 boats that fish in state waters¹. With such a large number of vessels of differing sizes, gears used, and fishing capabilities compounded by seasonal variability in abundance and price and the broad geographic distribution of the fleet, it is practically impossible to estimate the actual amount of fishing effort using current methods and data. The only practical way of improving the estimates of the amount and type of bycatch is by having a more precise means of estimating effort, such as the electronic logbook described below.

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 determined the need for improved estimates of effort by the shrimp industry to better determine the amount and type of bycatch. The electronic logbook provides data on fishing effort and location. Logbook information will be collected every 2-3 months by NMFS to maintain continuous updates on the effort of the fishery. Vessels are chosen randomly through the permits database. Once a vessel has been selected, it remains part of the sample.

Originally, the Electronic Logbook (ELB) program started with a sample of 250 vessels. Since that time, NMFS has secured additional funding to add another 250 vessels, for a total of 500. It is anticipated that additional ELBs will be added in the future, pending funding. These additional ELBs are expected to improve the accuracy and precision of the data being collected in the shrimp fishery.

¹ We are not attempting to estimate or monitor fishing effort and bycatch for these vessels; this is solely an illustration of the magnitude of ongoing shrimp fishing.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. 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 NOAA standards for confidentiality, privacy, and electronic information. See response to Question 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.

The electronic logbook autonomously collects effort data and is downloaded by NMFS personnel every 2-3 months. The electronic logbook will be removed from the vessel and downloaded at NMFS lab in Galveston, Texas. A new logbook will replace the removed logbook, a process taking less than one minute. Otherwise, the Southeast Region currently has no resource or technological capability for electronic (i.e., Web site) data collection.

4. Describe efforts to identify duplication.

The Magnuson-Stevens Act's operational guidelines require each FMP to evaluate existing state and federal laws that govern the fisheries in question, and the findings are made part of each FMP. Each Fishery Management Council membership is comprised of state and federal officials responsible for resource management in their area. These two circumstances identify other collections that may be gathering the same or similar information. In addition, each FMP undergoes extensive public comment periods where potential applicants review the proposed permit application requirements. Therefore, NMFS is confident it is aware of similar collections if they exist. The other information proposed to be collected is not being collected elsewhere; therefore, this data collection would not cause duplication. Although the Southeast Region uses Vessel Monitoring Systems (VMS) for some of its commercial fishing fleets, currently, no such program exists in the shrimp fishery fleet; therefore, no duplication exists between the ELB and VMS programs.

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

Because all applicants are considered small businesses, separate requirements based on size of business have not been developed. Only the minimum data to meet the current and future needs of NMFS' fisheries management are requested from the vessel owners.

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

If we cannot identify the effort of the shrimp industry in the Gulf of Mexico, characterizing the amount and type of bycatch within the fishery becomes extremely difficult, if not impossible. The Southeast Region would be in violation of the Magnuson-Stevens Act Section 303 (a) (11) if

bycatch amount and type is not identified in the shrimp fishery. In addition, due to the seasonal variability in abundance and price and the broad geographic distribution of the fleet, it is practically impossible to estimate the actual amount of fishing effort using current methods and data. Due to this seasonality it is essential that the data be collected at regular intervals.

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

There are no special circumstances that require the collection to be conducted in a manner inconsistent with Office of Management and Budget (OMB) guidelines.

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 Federal Register Notice was published on December 29, 2008 (73 FR 79447) soliciting comments on the continuation of this collection of information. No comments were received.

Previously, NMFS developed a rule (Amendment 13 to the GOM shrimp FMP) which was published for public comment in the Federal Register. Because this data collection program is part of a fishery management plan, all aspects of the program have been reviewed by both statistical and constituent advisory committees. Furthermore, comments and suggestions from fishermen are routinely submitted, reviewed, and considered. Experience with the various programs, some of which have been operating for many years, provides a continual feedback mechanism to NMFS on issues and concerns to the applicants. This rule did not raise an unusual amount of controversy during the Council development process. There are no major problems that have not been resolved.

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

There are no payments or other remunerations to respondents.

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

All data submitted under the proposed collection will be handled as confidential material in accordance with the Magnuson-Stevens Act, Section 402b, and NOAA Administrative Order 216-100, Protection of Confidential Fishery Statistics. Respondents are given this assurance as part of the initial package received with the ELB.

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 are asked.

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

The estimated public reporting burden for this collection of information is 30 minutes for the initial installation and 1 minute x 6 for the removal/reinstallation (each removal represents a response) of the ELB for each of the 500 vessels chosen for the program. This results in a total of 3,000 responses and 300 burden hours (i.e. 250 for initial installation, 50 for removal/reinstallation) per year.

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).

NA.

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

The estimated annual cost to the Federal government is \$1 million. This cost includes maintenance/repair of ELBs, software, installation/removal, downloading of data, and analysis. In addition to the \$1 million annually, a cost of \$3,368,000, annualized over three years to \$1,122,666 will be placed on the government for purchase of additional ELBs. Thus, the total annualized cost is \$2,122,666. The estimated burden hours are 1386.

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

Program Change: The number of respondents has doubled for this collection due to the expansion of the ELB program. NMFS has purchased additional ELB units for installation on additional vessels.

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

The results from this collection are not planned for statistical publication, although NMFS may distribute the results of the observations for general information.

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.

NA.

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

NA.