

**SUPPORTING STATEMENT
HIGHLY MIGRATORY SPECIES TOURNAMENT REGISTRATION
AND REPORTING
OMB CONTROL NO. 0648-0323**

A. JUSTIFICATION

This request is for renewal of this information collection.

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

The Secretary of Commerce is authorized to regulate fisheries for Atlantic Highly Migratory Species (HMS) under the Magnuson-Stevens Fishery Conservation and Management Act, and the Atlantic Tunas Convention Act, as amended. Under this authorization, the National Marine Fisheries Service (NMFS) proposes to renew tournament registration and reporting requirements for HMS.

Tournament registration and reporting is necessary because it provides an important source of information used to assess HMS fish stocks and to estimate the annual catch of Atlantic HMS. The information allows NMFS, in the course of developing fishery management plans, to evaluate the social and economic impact of tournament angling in relation to other types of angling (e.g., commercial, non-tournament recreational), potential impacts on tournament operations, and the relative effect of tournament angling on populations of various regulated HMS. Finally, the information is essential for the United States to meet its reporting obligations to the International Commission for the Conservation of Atlantic Tunas (ICCAT).

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 tournament registration and reporting procedures involve: (1) mandatory registration of HMS tournaments; and, (2) for selected tournaments, mandatory reporting of tournament results, including the documentation of all instances of landing an Atlantic HMS during a tournament. To do this, NMFS will require that tournament operators (the person or entity responsible for maintaining records of participants and results) register their tournament, including the date, location, and purpose of the tournament, at least four weeks prior to the commencement of the tournament. The tournament operator will collect the following data from all boats on all HMS encountered: whether the fish were kept, released, or lost; condition of the fish; whether the fish were tagged; and, the weight and length of all boated fish. This information is already routinely collected during tournament operations, which makes the reporting burden solely one of transcribing existing information onto a single form. For reporting of tournament results, NMFS is submitting two different reporting forms for Paperwork Reduction Act (PRA) approval. One form is primarily to be used for tournaments targeting billfish. The other form is to be used for tournaments targeting all HMS. The tournament operator will be required to complete only one of the forms depending on the target species of the tournament. The completed reporting form is to be returned to NMFS no later than 7 days after the conclusion of the tournament.

The information obtained from each tournament operator on the Atlantic HMS Tournament Registration Form includes:

- a. The name, date, and location of the tournament.
- b. The Director/Operator's name, address, phone number, fax number, e-mail address (if applicable), and signature.
- c. Whether the tournament has operated in previous years.
- d. Identification of HMS for which points or prizes will be awarded.
- e. Voluntary authorization to release tournament information (tournament name, date(s), city, state, & target species) to the public.

NMFS uses this registration information to plan for the assignment of tournament observers to assist in catch/effort data compilation and to obtain biological data and samples from landed fish (length/weight, stomach contents, injuries, parasites, hard and soft tissue samples for age determination, genetic analysis, spawning condition, fecundity, etc.). The registration information also allows NMFS, in the course of developing fishery management plans, to evaluate potential impacts on tournament operations. Additionally, with an accurate tournament registration database, NMFS may better assess the practicality of using tournaments for angler educational outreach efforts including distribution of written informational materials, notification of public hearings, and explanation of HMS regulations. A voluntary authorization from the operator to release tournament information to the public would assist potential tournament anglers in determining participation in upcoming events.

The reporting information obtained from each tournament operator on the Atlantic HMS Tournament Summary Report includes:

- a. The name, date, location, and fishing club affiliation (if applicable) of the tournament.
- b. The total number of boats fishing, hours fished, recorder's name and phone number.
- c. The numbers of fish kept and the size (weight in pounds, length in inches) and each of the following: the numbers of fish that were released alive, released alive with a tag, released dead, and lost.

This information is identical to what tournament operators already collect to determine a tournament winner. Tournaments that normally use radio logs or catch certificates to log catch and effort are being requested to submit copies of those along with the report form supplied by NMFS. The only additional time or cost burden would be for transcribing the reporting information on to the form, photocopying and mailing the form. As mentioned above, the collected information is used by NMFS to assess total annual tournament catch and the relative effect of tournament angling on populations of regulated HMS.

HMS tournament information does have utility. The collected information will be disseminated to the public or used to support publicly disseminated information. See responses to Questions 10 and 16 of this Supporting Statement for more information on data dissemination and use. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with National Oceanic and Atmospheric Administration (NOAA) standards for confidentiality, privacy, and electronic information (16 U.S.C. 1881a). A voluntary authorization from the operator to release tournament information to the public would

assist potential tournament anglers in determining participation in upcoming tournaments. 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.

Tournament operators are being asked to register tournaments and to report tournament results on a NMFS form in order to standardize the data collected. The blank tournament registration form is available electronically on the Internet at www.nmfspermits.com and fillable versions of the tournament registration and summary report forms are available at http://www.nmfs.noaa.gov/sfa/hms/Linkpages/reporting_forms.htm. The forms are also available by fax upon request. The completed registration form may be e-mailed, faxed or mailed back to NMFS. NMFS continues to consider the possibility of making the tournament registration and reporting data systems available on the Internet for direct data entry by tournament operators, and to provide some access to the tournament registration information (tournament name, date(s), city, state, and target species) as a service to publicize tournaments and to inform potential tournament anglers of upcoming events.

4. Describe efforts to identify duplication.

This collection does not duplicate or overlap with any other collection of information. Mandatory reporting of recreational non-tournament Atlantic billfish and swordfish landings and recreational Atlantic bluefin tuna landings occurs under a separately approved collection (Office of Management and Budget (OMB) Control No.0648-0328 - Atlantic Highly Migratory Species Recreational Landings Reports). Although these collections could document similar activities, NMFS is cognizant of possible duplication and is actively making efforts to avoid it. For example, tournament landings are exempt from the Atlantic billfish and swordfish recreational call-in requirement. In addition, two other separate approved information collections including the Large Pelagic Fishing Survey (OMB Control No. 0648-0380) and the Marine Recreational Fisheries Statistics Survey (OMB Control No. 0648-0052) complement tournament registration and reporting. The Large Pelagic Fishing Survey and the Marine Recreational Fisheries Statistics Survey include telephone surveys and dockside interviews with recreational anglers. These surveys actively identify and attempt to segregate tournament landings from other non-tournament recreational landings.

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

This information collection will not have a significant impact on small entities. Both the registration and reporting requirements require minimal time.

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

If the collection of tournament information were not conducted, NMFS would be less able to comply with international obligations, such as ICCAT landings limits and reporting requirements. NMFS must have tournament information to evaluate the relative impact of various types of angling on HMS. If NMFS is unable to obtain this information, then the agency would be unable to fully assess the costs, benefits and likely impacts of subsequent regulations and rules regarding either HMS or HMS tournament angling, as required by the Magnuson-Stevens Act. Also, fishing tournaments provide a unique opportunity for biologists to obtain an abundance of fishery information in a relatively short time period. It is both efficient and essential to gather this information, as it is already being collected by operators of HMS angling tournaments (catch and effort data, landings, etc.), so that it can be incorporated into the formulation of HMS fishery management policies.

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

The information collection requiring that tournament summary reports be submitted within 7 days after the tournament is concluded is inconsistent with OMB guidelines. The shorter reporting time frame is due to international obligations of NMFS to monitor the catch of certain HMS species according to agreed international quotas or agreed reductions in landings to ensure the sustainability of such species.

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 soliciting public comment on this proposed collection of information was published on December 18, 2008 (73 FR 77008).

One comment was received. The commenter stated that HMS tournaments should be shut down because the tournaments result in the murder of wildlife. The commenter also stated that the information submitted by HMS tournaments is not accurate and thus, the tax dollars spent on this data collection do not produce anything that helps America. The agency has not taken any action in response to this comment because, first of all, this action is a renewal of a data collection requirement and it is not within the scope of this renewal to consider whether or not HMS tournaments may operate. Secondly, data collected from HMS tournaments under this renewal is identical to the information collected by tournament operators to determine tournament winners. Because tournament stakes, both social and economic, are high, the data collected by tournament operators are typically accurate and scrutinized by tournament officials at the time of tournament operation. Reporting of this same information to NMFS is anticipated to be accurate and this anticipation is bolstered by the public display of tournament results that often occurs when newspapers, sportfishing magazines, and tournament websites publish tournament results that

may be viewed periodically by NMFS personnel. The information collected from HMS tournaments is important to the United States to meet international ICCAT reporting obligations and to aid in evaluating the biological, social, and economic impact of tournament angling.

NMFS routinely consults with outside parties to obtain the public's view on the availability of fishery data, frequency of data collection, clarity of instructions and recordkeeping requests, disclosure of information, reporting format, and the data elements to be recorded, disclosed, or reported. These consultations occur in the context of HMS Advisory Panel meetings, public hearings, written correspondence, telephone conversations, and conversations with tournament anglers and tournament operators.

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

No payment or gifts will be provided to respondents.

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

There is a PRA statement, addressing confidentiality, printed on public notification materials, including the tournament registration and reporting forms. It is NOAA policy to preserve the confidentiality of information submitted under this reporting requirement, except that NMFS may release such information in aggregate or summary form, such that individual identifiers are not disclosed (NOAA Administrative Order (NAO) 216-100). Information such as the number of registered tournaments or the states in which they occurred is often provided in the annual Stock Assessment and Fishery Evaluation (SAFE) Report, in Fishery Management Plan (FMP) regulatory amendments, and in supporting documents made available to the public upon request. A checkbox has been included on the tournament registration form, whereby operators may voluntarily authorize NMFS to release tournament information (tournament name, date(s), city, state, & target species) as a service to publicize tournaments and to inform potential tournament anglers of upcoming events. Otherwise, without voluntary consent from the tournament operator, information submitted under this reporting requirement remains confidential, or is released only in aggregate or summary form such that individual identifiers are not disclosed.

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 included in this information collection.

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

Approximately 300 tournament operators are expected to respond to the tournament registration form. With this number of respondents, and an approximate response time of 2 minutes per tournament registration form, we expect a total of 10 burden hours.

Tournament Registration: 300 respondents x 2 minutes = 10 hours

Up to 300 tournaments may be selected for reporting. With an approximate response time of 20 minutes, we expect a total of 100 burden hours for tournament reporting.

Tournament Reporting: 300 respondents x 20 minutes = 100 hours

Total Burden for Registration and Reporting: 10 hours + 100 hours = 110 hours.

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).

The only costs associated with this collection would be for mailing or faxing the forms to NMFS. For registration, given 300 respondents and assuming that half will mail (\$0.44/postage) and half will fax (\$0.20/ minute x 1 minute) the registration forms, it is estimated that the total annual cost to the respondents for registration will be approximately \$96.

To mail registration form: 150 respondents x \$0.44 = \$66
To fax registration form: 150 respondents x \$0.20 = \$30
Total Cost for Registration \$96

Similarly, for tournament reporting, given 300 respondents and assuming that half will mail (\$0.44/postage) and half will fax (\$0.20/ minute x 1 minute) the reporting forms, it is estimated that the total annual cost to the respondents for registration will be approximately \$96.

To mail reporting form: 150 respondents x \$0.44 = \$66
To fax reporting form: 150 respondents x \$0.20 = \$30
Total Cost for Reporting \$96

Therefore, the total annual cost burden to the respondents associated with this collection is expected to be approximately \$192 (\$96 + \$96).

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

Costs for printing and supplying the forms are expected to be minimal. A blank Registration Form is annually mailed to operators who have previously registered tournaments, along with a reminder to register tournaments for the upcoming year. The Registration Form is also available on the Internet and may be downloaded by respondents. In addition, NMFS provides a fax copy to respondents upon request. The registration form could be photocopied and used by respondents as needed. No new equipment or overhead costs will be incurred by NMFS, because existing equipment and staff will be used to collect and enter the data.

For mailing the registration form to tournament operators who have previously registered tournaments, given 300 tournaments at \$0.44/postage, it is estimated that the annual cost to the Federal government will be approximately \$132.

The Atlantic HMS Tournament Summary Report form is mailed to tournaments that are selected for reporting and, given 300 tournaments (as calculated in the response to Question 12) at

\$0.44/postage, it is estimated that the annual cost to the Federal government will be approximately \$132.

The total cost to the Federal government to mail registration and reporting forms to tournaments is expected to be approximately \$264 (\$132 + \$132).

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

An adjustment and a correction were made in this renewal. An adjustment of the annual cost burden to respondents is due to the increase in postage from \$0.39 to \$0.44, so that the total costs increased from \$177 to \$192. Second, it appears that the cost in a March 2008 change request had been calculated incorrectly, as \$92 rather than \$177. Therefore, the estimated cost has actually increased from \$177 to \$192, although in the OMB inventory, it will appear that it has increased from \$92 to \$192.

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

These data are not being collected for the purpose of publication in raw form. The aggregate information may be publicly distributed in scientific stock assessments for individual species, in the annually published Stock Assessment and Fishery Evaluation (SAFE) Report, in FMP amendments, or on a NMFS Internet site. This could include information on the aggregate number of registered tournaments, the number of tournaments by state, and total landings by species and state. As a result, tournament information should be considered as one component, among many, factoring into fishery policy and management decisions.

Tournament information (tournament name, date(s), city, state, and target species) from operators who voluntarily authorize NMFS to release such information may be provided as a service to publicize tournaments and to inform potential tournament anglers of upcoming events.

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.