SUPPORTING STATEMENT
NORTHEAST REGION LOGBOOK FAMILY OF FORMS
OMB CONTROL NO. 0648-0212

A. JUSTIFICATION

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

Under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Secretary of Commerce (Secretary) has responsibility for the conservation and management of marine fishery resources off the coast of the United States (U.S.). The majority of this responsibility has been delegated to the Regional Fishery Management Councils and the National Oceanic and Atmospheric Administration (NOAA)'s National Marine Fisheries Service (NMFS). The Council develops management plans for fishery resources in New England.

The Magnuson-Stevens Act requires that conservation and management measures must prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery. These measures must be based on the best scientific information available. Section 303(a)(5) of the Magnuson-Stevens Act allows the Secretary to collect specific types of information that would identify the catch by species and other information regarding the time and location of fishing effort. This information is most often collected in the form of Vessel Trip Reports (VTR) and weekly catch reports via an Interactive Voice Response (IVR) system. These reporting mechanisms identify the participants of a fishery and monitor their activity levels and landings. Recently, however, the information collected through VTRs is also being collected electronically through Vessel Monitoring System (VMS). The use of VMS in addition to VTRs allows for real-time monitoring and enforcement of management provisions by collecting information on the time and location of fishing operations and the catch and discard of particular species on a daily basis. In general, information requirements for an effective monitoring and enforcement system include:

- Identification of the participating vessels, operators, and dealers;
- Location of the fishing activity;
- Activity levels; and
- Catch and landings information.

This information is necessary to enforce the management measures and prevent overfishing.

Currently, vessels with limited access tilefish permits, limited access red crab permits, limited access herring permits, and general category herring permits that land a minimum of 2000 pounds per week are required to submit an IVR report. IVR reporting is necessary to monitor catch levels in a timely manner, so that effort controls can be implemented before catch limits are attained. IVR reports are submitted using a toll-free telephone number. The required information for IVR weekly catch reports is a small fraction of what is required in vessel logbooks.

At present, mandatory logbook reporting requirements are applied to all vessels permitted under the Atlantic mackerel, squid, butterfish, Atlantic sea scallop, Atlantic surf clam, ocean quahog,

Northeast (NE) multispecies, monkfish, summer flounder, scup, black sea bass, Atlantic bluefish, spiny dogfish, Atlantic herring, tilefish, red crab and skate Fishery Management Plans (FMP). If a vessel is permitted in more than one of these fisheries, only one report needs to be submitted to fulfill reporting requirements for all species. Reports of fishing activity must be submitted within 15 days after the end of the reporting month. Vessels are required to submit "negative reports" if no fishing activity occurred in a reporting month. Submission of negative reports allows NMFS to accurately identify vessels that are not fishing versus those which have failed to submit required reports.

In the halibut fishery, participants are asked to make voluntary reports on the size of halibut caught and time of day caught. This information is collected on the vessel logbooks which are completed by the vessel owner/operator for each fishing trip.

One of the ways the NE Multispecies FMP controls fishing mortality is by limiting the number of days that vessels can fish. Amendment 13 (FR 0648-AN17, 69 FR 22906) assigned each limited access permit holder a number of days-at-sea (DAS) that can be used. These DAS are categorized as Category A DAS, Category B DAS, or Category C DAS. The management measures in Amendment 13 (including the allocation of Category A DAS) are designed so that the mortality objectives will be met for all stocks. The number of allocated Category A DAS was chosen so that the appropriate amount of effort would be available to achieve, but not exceed, the target total allowable catch (TAC) amounts established for all regulated groundfish species consistent with the mortality objectives of the FMP. Category A DAS could be used to target any regulated groundfish stock. Amendment 13 further defined Category B DAS as either Category B (regular) or Category B (reserve) DAS and placed limits on how each can be used.

Any Category B DAS that are used increased the amount of effort. In order to prevent these additional DAS from threatening the mortality objectives of Amendment 13, Category B DAS can only be used to target healthy groundfish stocks in an approved special management program. To ensure that the catch of stocks of concern taken while using a Category B (regular or reserve) DAS does not threaten the mortality objectives of Amendment 13, Framework (FW) 42 (FR 0648-AT24, 71 FR 62156) added two stocks to the list of stocks that need to be most carefully monitored, and implements a standardized catch report to increase accuracy of reported catch data. To link all databases related to trips into special management programs, Framework 42 also proposed a universal trip identification number. Both of these measures are described in detail below.

Amendment 13 to the NE Multispecies FMP included several programs to facilitate targeting of healthy groundfish stocks under a Category A or B (regular and reserve) DAS, but only two of these programs were approved by NMFS. Subsequent to this amendment, three additional frameworks (Framework 40A, Framework 40B, and Framework 41) were adopted to refine the management programs and provide additional opportunities for fishermen to target healthy stocks. Framework 42 amended these programs and modified the information reporting requirements to establish more uniform catch reporting requirements and improving the consistency and accuracy of data reported.

The current regulations outlining the reporting requirements, including VTRs, for vessel owners and operators are specified at 50 CFR 648.7(b). Framework 42 included new provisions that modified the reporting requirements for those vessels electing to fish in all of the special

management programs within the NE Multispecies FMP. Collecting this information is necessary to monitor the activities of vessels participating in the special access programs (SAP), the Category B (regular) DAS program, and U.S./Canada Resource Sharing Understanding Area; assess the amount of fish harvested, including bycatch of groundfish stocks of concern; and to enforce compliance with other provisions outlined in Framework 42. These data are crucial to the monitoring of fishing effort and discards to ensure compliance with the mortality objectives of Amendment 13 to the FMP, as further outlined below.

Universal Catch Report for Special Management Programs

As described above, after the implementation of Amendment 13, several special management programs were developed to facilitate the targeting of healthy groundfish stocks. Reporting and other requirements were developed separately for each program, resulting in a patchwork system of different catch reporting requirements for each program. Minor differences in requirements between the various programs complicate their administration and create confusion within the industry as vessels attempt to comply with the requirements. In addition, experience with the various programs suggested ways to streamline reporting and administrative requirements so that monitoring the programs will be easier and less time will be needed to develop future programs. For example, the need to report catch by statistical areas when making daily VMS reports, as currently required for some programs, can be eliminated, since the VMS position information can be used to assign the catch to the appropriate area. This simplifies a reporting requirement for the vessel operators.

Framework 42 created a universal catch report for all of the special management programs, including the Category B (regular) DAS Program, the U.S./Canada Resource Sharing Understanding Area, and all of the approved SAPs. The requirements of the U.S./Canada Management Area and its associated SAPs previously required that only the catch and discard of Georges Bank (GB) cod, GB haddock, and GB yellowtail flounder be reported via VMS. However, the Category B (regular) DAS Program implemented by Framework 40A required that vessels submit daily catch and discard information for additional species including American plaice, white hake, winter flounder, and witch flounder. The Closed Area I (CA I) Hook Gear Haddock SAP catch reports only contain catch and discard for cod and haddock. The universal catch report proposed by Framework 42 requires that all vessels participating in these special management programs report the catch of all groundfish stocks of concern (i.e., those previously only required for participants in the Category B (regular) DAS Pilot Program) along with haddock. The standard catch report will provide NMFS with catch and discard estimates of cod, yellowtail flounder, American plaice, white hake, winter flounder, witch flounder, and haddock for all of the special management programs. This information is necessary to accurately monitor the catch of all of the groundfish stocks caught in these special management programs, including those groundfish stocks of concern managed by small incidental catch TACs.

A vessel is required to submit a daily catch report by 9:00 AM for any fish caught for the previous day ending at midnight. However, due to the dynamic nature of vessel operations, vessels participating in the special management programs have not always provided the required daily VMS catch reports on the day they were due. For example, if a vessel begins a trip at 4:00 AM the first day and lands at 3:00 PM on the second day, two catch reports would be due: One by 9:00 AM for the first day of fishing and one by 9:00 AM on the third day for the second day of fishing. However, it is likely that the vessel would submit the second catch report when the

vessel lands at 3:00 PM on the second day of the trip, instead of waiting until after midnight on the third day. This causes difficulties in attributing the catch to the appropriate day that it was caught. To simplify matters, FW 42 proposed to require that vessels submit the date of the catch on each daily catch report.

Because the use of VMS allows NMFS to monitor time spent in particular areas, there is no longer the need to submit area information on catch reports. Therefore, Framework 42 removes the requirement that vessels fishing in the Category B (regular) DAS Program and vessels fishing inside and outside of the Western U.S./Canada Management Area report the statistical area to which the reported catch should be attributed, making these catch reports consistent with those of other special management programs.

Universal Trip Identification Number for Catch Reports

Currently, there are several databases that track specific data from a particular trip: Observer Program data, dealer reports, VTR, VMS, and DAS. There is currently no means of accurately linking each of these databases for each individual trip. Although there are some common data fields, it is nearly impossible to completely link all of the relevant data for one particular trip. Therefore, Framework 42 proposes to require that a universal trip identification number be included on each daily catch report submitted via VMS. This trip identification number will be the same number as the first page of the VTR logbook for a given trip (i.e., the VTR serial number). The identification number will allow data from VMS catch reports to be correctly linked to dealer reports, Observer Program data, VTRs, VMS, and DAS data sources. The universal trip identification number will allow NMFS to more accurately link catch data from several sources, which, in turn, will promote more efficient monitoring and management of all of the special management programs.

CA I Hook Gear Haddock SAP Sector Reporting

The CA I Hook Gear Haddock SAP was implemented by Framework 40A to allow vessels to target haddock without catching other groundfish stocks of concern. Framework 41 revised this SAP to split the open season equally between the GB Cod Hook Sector and hook gear vessels that do not participate in the sector. Framework 42 proposes to revise some of the reporting requirements for the GB Cod Hook Sector while participating in this SAP.

The CA I Hook Gear Haddock SAP allows vessels to fish for haddock within specified areas and under certain conditions. Part of the management strategy for these SAPs is the use of TACs for each of the species of concern and the target species. These TACs are used to limit the amount of cod and haddock taken by vessels fishing in these SAPs so that mortality targets established under Amendment 13 are not exceeded. As with the other special management programs, it is critical to monitor catch and discard of groundfish stocks to monitor catch rates so that these TACs are not exceeded during a particular fishing year, thereby insuring that activities within these programs do not jeopardize rebuilding efforts for particular stocks.

Vessels not participating in the GB Cod Hook Sector (i.e., non-Sector vessels) and fishing in this SAP are required to submit daily catch reports via VMS. However, because vessels participating in the GB Cod Hook Sector have different reporting requirements specific to the Sector Operations Plan, those fishing in this SAP are not required to submit daily catch reports via

VMS, but instead submit copies of VTRs for that trip to the Sector manager. The Sector manager, in turn, assembles catch data from these VTRs and reports catch from Sector vessels to NMFS on a daily basis. Such reporting requirements are necessary to effectively monitor catch from this SAP.

The current regulations outlining the reporting requirements for vessel owners and operators are specified at 50 CFR 648.7(b).

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.

Landings reports specified under the special management program provisions of Framework 42 require the owner or operator of a vessel fishing under a NE Multispecies DAS to report the total amount of haddock and groundfish species of concern, including discards, caught on a daily basis when operating under these programs via VMS. These catch reports would also include a universal trip identification number and the date of the catch. Vessels are still required to submit VTRs for all trips, including those within the special management programs, in addition to the daily electronic catch and discard reporting via VMS.

The information collected under this submission would be used by several offices of NMFS the U.S. Coast Guard (USCG), the Council, and state fishery enforcement agencies under contract to the NMFS to develop, implement, and monitor fishery management strategies, particularly vessel operations and catch rates within the special management programs. The primary purpose is to monitor catches so that the incidental catch hard TACs associated with the U.S./Canada Resource Sharing Agreement and the incidental TAC of each species of concern, are not exceeded. These types of data serve as input for a variety of uses, including biological analyses and stock assessments, regulatory impact analyses, quota allocation selections and monitoring, economic profitability profiles, trade and import tariff decisions, allocation of grant funds among states, and analysis of ecological interactions among species. NMFS would be unable to fulfill the majority of its scientific research and fishery management missions without these data. Specifically, without daily catch information for the incidental catch TACs for the species of concern, real-time monitoring of the relatively small TACs would not be possible. Timely information is necessary to ensure that these incidental TACs are not exceeded, thereby potentially threatening the mortality objectives of Amendment 13. The submission of the universal trip identification number would be used by NMFS staff to link all available data associated with that trip together to more accurately and reliably track vessel operations in these programs. The date of catch information will be used by NMFS staff to attribute catch to the appropriate date and ensure that vessels are complying with the daily catch report requirement.

Daily catch reports submitted via VMS are currently being used by the NMFS to monitor the amount of particular groundfish stocks of concern caught in each special management program. These data are used to track the rate of TAC harvest in these programs and ensure that these TACs are not exceeded. Based on these catch reports, specific management actions such as area closures and trip limit modifications are implemented according to the current regulations.

IVR and VTR data will be collected to quantify fishing effort. The landings data that the VTRs provide are critical to accurately monitor fishing mortality targets. Fishing effort information is needed to standardize differences in productivity among vessels or fishing grounds by establishing a rate of catch per unit time. This information allows comparisons over time and space of catches made by a variety of harvesters. Comparisons of catch and Catch per Unit Effort (CPUE) over time are significant indicators of the biological status of the fishery.

The two logbooks in use (NOAA Forms 88-30 and 88-140) generally collect the same information, with minor differences as shown below.

Fishing Vessel Trip Reports (VTRs) (NOAA Form 88-30)

Vessel Name And Permit Number/Documentation Number. The vessel permit number is a unique number assigned to each vessel issued a northeast Federal permit. This information is needed to accurately identify each fishing vessel for which a logbook report has been submitted. Requiring both the vessel name and permit number allows NMFS staff to cross-check both pieces of information to confirm the correct identity. Permit numbers are especially important for monitoring compliance with the reporting regulations and for matching the logbook data submitted by the vessels with the reports of fish purchases provided by dealers.

Trip Type, Number Of Crew, And Number Of Anglers. Trip type is used to differentiate between commercial, party, and charter trips. The number of crew and number of anglers is needed to assign economic values to both the commercial and recreational segments of the fishing industry. This data is also used in evaluating Catch per Unit Effort.

Date Sailed/Landed, Number Of Hauls, Duration Of Tows Or Sets, Gear Type, Units And Size Of Gear, And Mesh Size. This information is used to quantify actual fishing effort. Fishing effort is needed to standardize differences in productivity among vessels or fishing grounds by establishing a rate of catch per unit time. This information allows comparisons over time and space of catches made by a variety of harvesters. Comparisons of catch and CPUE over time are significant indicators of the biological status of the fisheries. Declining CPUE's can indicate overfishing beyond the level of harvest that is sustainable through natural growth and reproduction of the stock.

Chart Area Fished, Depth, Loran Bearings Or Latitude/Longitude. These variables are used to establish locations of fish capture, which can then be related to other biological and oceanographic information to predict species availability and likely future abundance. In addition, area fished is used to cross-reference locations where fishing is not permissible.

Landings And Discards, By Species. Such species information is the basic measure of fishing success from which fishermen, biologists, and economists draw conclusions about the status of a fishery. Landings information is also needed because controlling the quantity of fish harvested is often the means for ensuring continued harvests of renewable resources over time.

Name Of Buyer, Dealer Number, Date Sold, And Port Of Landings. These data are used in enforcing fishery regulations to cross-reference the quantity of fish appearing in the market. Enforcement officers conduct inspections at fish off-loading sites to ensure regulations are being met. These data elements are especially useful when monitoring quotas or when other constraints

on harvest are used. It allows NMFS to track the resulting quantity of transactions on land between buyers and sellers.

Name Of Operator/Owner. This information is used to identify the respondent and legal entity controlling the fishing practices of the vessel. Violations of quota regulations may be uncovered during an at-sea boarding and inspection, resulting in a fine, permit suspension, or catch seizure. As vessels may be owned by corporations, the identification of owner and operator on the logbook form allows NMFS to sanction the corporation as well as the operator as necessary. Information on the vessel and permit number is also used for further identification.

Signature Of Operator And Date. This is required to make an official report.

Shellfish Logbook (88-140)

Vessel Name And Permit Number. The vessel permit number is a unique number assigned to each vessel holding a Federal Permit. This information is needed to accurately identify each fishing vessel for which a logbook report has been submitted. Requiring both the vessel name and permit number allows NMFS staff to cross-check both pieces of information to confirm the correct identity. Permit numbers are especially important for monitoring compliance with the reporting regulations and for matching the logbook data submitted by the vessels with the reports of fish purchases provided by dealers.

Signature Of Captain/Operator And Date. This is required to make an official report.

Date, Area Fished, Time At Sea And Fishing. This information is used to quantify actual fishing effort. Fishing effort is needed to standardize differences in productivity among vessels or fishing grounds by establishing a rate of catch per unit time. This information allows comparisons over time and space of catches made by a variety of harvesters. Comparisons of catch and CPUE over time are significant indicators of the biological status of the fisheries. Declining CPUEs can indicate overfishing beyond the level of harvest that is sustainable through natural growth and reproduction of the stock.

Catch And Discards. Such species information is the basic measure of fishing success from which fishermen, biologists, and economists draw conclusions about the status of a fishery.

Port Landed, Buyer, Date Of Sale. These data are used in enforcing fishery regulations to cross-reference the quantity of fish appearing on the market. Enforcement officers conduct inspection at fish off-loading sites to ensure regulations are being met. These data elements are especially useful to monitor quotas or when other constraints on harvest are used.

Ex-Vessel Prices. Prices and values are used in estimating the earnings and profitability of each fishing trip by the vessel operator and in regulatory impact reviews and economic input-output models requiring such data to estimate the economic effects of changes induced by the biology or management of the fishery. Special economic studies are conducted to obtain detailed information on specific issues or fisheries when resources are available.

Allocation Number And Tag Numbers. The allocation number is used on the shellfish log to track quota that has been harvested against the amount allocated to that vessel. The allocation

number also provides a way to cross-check the information reported by a vessel with the information reported by the dealer purchasing the product. Each vessel is assigned a range of tag numbers within their allocation number. Tag numbers are used to accurately determine the number of bushels that have been harvested by a given vessel, and provide additional confirmation of accurate reporting.

Vessel IVR

The following information will be collected through the vessel IVR system from vessels issued a limited access tilefish permit, a limited access red crab permit, a limited access Atlantic herring permit, or a general category Atlantic herring permit where in the vessel lands 2000 pounds or more in a single calendar week.

Species Code. Atlantic herring, tilefish and red crab vessels are required to report landings through the vessel IVR system. In order to differentiate between species, vessels will be required to report a species code.

Vessel Permit Number. Fishery management plans (FMP) have varying total allowable catches (TACs). In order to monitor each TAC, it is necessary to collect all vessel data. In order to ensure all IVR data is received and that vessels are meeting their reporting requirements, it is necessary to collect the federal permit numbers from vessels.

Total Landings, Week, and State. Landings data collected by week and by state are necessary in order to monitor catch levels in a timely manner. This data can be used to implement effort controls to slow effort prior to a TAC being reached.

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 #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 information collection provisions associated with Framework 42 involve the electronic reporting of catch and discards of fish by vessels electing to fish in special management programs, including the SAPs, the U.S./Canada Management Area, and the Category B (regular) DAS Program. This information is required to be submitted via VMS. This incorporates the most advanced means of reporting this information to date. This information supplements other catch and effort information submitted using paper VTRs for each trip. This information is more accurately linked with the data submitted in VTRs for each trip via the implementation of the universal trip identification number.

The requirement for vessels to call in catches on a weekly basis to an IVR system uses information technology to track catches from individual vessels. A frequent report of catch locations is necessary to monitor attainment of TACs. High catch rates during some parts of the fishing year make it important that the reports be received in a timely manner. The IVR system mitigates the paperwork burden on both the fisherman and NMFS, as it makes it easier to collate the catch reports and monitor landings.

Every effort continues to be made to use additional computer technology to reduce the public burden. The Northeast Regional Office (NERO) is reviewing the electronic submission of logbook submissions as part of its Government Paperwork Elimination Act (GPEA) review. Every effort will be made in the future to utilize computer technology to reduce the public burden as the opportunity and technology allow.

4. Describe efforts to identify duplication.

The NMFS is aware of all related fishery management activities, and VMS requirements do not duplicate any in existence. Electronic daily reporting of catch and discards would only be required of NE multispecies DAS participants in the special management programs. In addition, these vessels would also be required to submit their current VTRs. The NERO is investigating the feasibility of incorporating electronic reporting into all fisheries currently requiring the submission of VTRs.

Some of the information provided in the weekly IVR reports by vessel owners or operators will be duplicated in logbooks. Landings and federal fisheries permit number will be reported in both systems. This duplication is unavoidable and is described in the logbook detail outlined in question 2. In order to monitor TACs in a timely fashion, catch information must be reported on a frequent basis. Use of the IVR system will collect this information without requiring vessel operators to submit a detailed, paper logbook report on a weekly basis. Logbooks report fishing activity in greater detail than IVR and include information on fishing effort, fishing gear, locations of fishing activity, catches and discards of other species. All of these data elements are necessary to manage the fishery.

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

Only the minimum data to meet the requirements of the above data needs are requested from all participants. Since all of the respondents are small businesses, separate requirements based on the size of the business have not been developed.

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

VMS catch and discard information allow the NMFS to accurately monitor fishing mortality and catch rates. Without daily catch information, the TACs associated with these programs may be exceeded, as the data from VTRs may take up to several weeks to process, even if submitted in a timely manner. Exceeding the TACs for certain groundfish species could result in closure of certain portions of the U.S./Canada Management Area for the remainder of that fishing year and

a reduction of that species' overall TAC for the following fishing year. In addition, exceeding the incidental TACs for species of concern under the Category B (regular) DAS Program or the TACs associated with SAPs could result in fishing mortality rates rising above legal limits and reaching levels that may compromise the fishing mortality objectives specified in Amendment 13. Therefore, daily catch and discard data would facilitate the effective management of the groundfish fishery. This information will be more effectively used when it can be accurately linked with other sources of fishery data, including observer data, dealer reports, and VTR data through the universal trip identification number. Failure to collect this information would prevent NMFS from monitoring vessel effort and fishing mortality, thereby compromising the potential to end overfishing and rebuild groundfish stocks and maintain compliance with the Magnuson-Stevens Act.

Without the fundamental data collected from vessel operators through logbooks and the IVR, NMFS would be unable to meet its statutory requirements under the Magnuson-Stevens Act.

Weekly IVR reporting captures catch and discard information allowing the NMFS to accurately monitor fishing mortality and catch rates on species managed with TACs. Exceeding the TACs for certain species could result in closure of certain fishery management areas for the remainder of that fishing year and a reduction of that species' overall TAC for the following fishing year. In addition, exceeding certain TACs could result in fishing mortality rates rising above legal limits and reaching levels that may compromise fishing mortality objectives.

At present, logbooks are required to be submitted by the 15 day of the month following the month in which the fishing trip occurred. Therefore, the logbook associated with a fishing trip that occurred in the first week of a month is not due at NERO for approximately 40 days. Mailing and processing of the logbooks add to the duration of time associated with these fishing trip reports. Logbooks provides confirmation of the IVR reports and provide additional information on catch locations, gear type, discards, etc., necessary to manage the fisheries. The frequency of reports has been kept to the minimum required for effective management. However, less frequent collection would jeopardize the value of the vessel logbooks as a crosscheck on the information provided by seafood dealers and would render other NERO data collection programs useless. Without this frequency of response, NMFS would be unable to accomplish in-season management of fisheries. If the collection were not conducted, more conservative management alternatives which protect the stock would have to be chosen, which would adversely affect fishermen's income and employment.

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

The requirements specified in this submission are not consistent with Office of Management and Budget (OMB) guidelines with regard to the reporting frequency. While OMB does not allow that respondents be required to report more often than quarterly, the provision requiring daily electronic catch and discard reporting requested with this submission would necessitate more frequent reports.

This information collection would be required to be submitted on a daily basis for vessels fishing in special management programs. Daily catch reporting is required in order to accurately monitor the catch and discard of groundfish species in these programs. This information would

be used to determine if and when the TAC for each species has been caught. Without daily monitoring, accurate assessments of catch rates of certain groundfish stocks from these programs, and therefore, fishing mortality, may not be possible.

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 published May 29, 2009 (74 FR 25702) solicited public comment on this renewal. No substantive comments were received.

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

Neither payments nor gifts are given to the respondents.

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

As stated on the forms, all data will be kept confidential as required by NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics, and will not be released for public use except in aggregate statistical form (and without identifying the source of data, i.e., vessel name, owner, etc.). Confidentiality is also required by section 402(b) of the Magnuson-Stevens Act. Logbooks are also considered confidential under the Trade Secrets Act.

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.

There are no questions of sensitive nature.

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

Vessels required to complete and submit VTRs (Form 88-30) include those permitted in the Atlantic mackerel, squid, butterfish, Atlantic sea scallop, NE multispecies, monkfish, summer flounder, scup, black sea bass, Atlantic bluefish, spiny dogfish, Atlantic herring, red crab, tilefish or skate fisheries. According to data available through the Northeast Region Permit database, 4,243 vessels are permitted for one or more fisheries requiring mandatory reporting using Form 88-30. Since many vessels hold permits in more than one fishery, the number of respondents reflects the total number of individual vessels permitted, and not the sum of all permit holders.

The estimated response time for the reporting burden for VTRs is 5 minutes and is detailed in **Table 1** below. Some of the information being provided by the respondents, such as fishing location and catch, are already collected and recorded in the normal course of fishing activity,

therefore that time is excluded from the calculation. While the fishing vessel logbook information is collected on a trip-by-trip basis, the burden calculation is based on the required monthly submission. Vessels permitted in the NE Multispecies fishery are asked to submit information on halibut caught on a voluntary basis. It is estimated that reporting of time of day caught and size of the fish caught takes an average of 30 seconds. It is estimated that 158 respondents will submit voluntary reports of halibut catches an average of three times per year. These respondents are accounted for in the mandatory VTR collection. **Total VTR time burden is 4,246 hours.**

Vessels required to complete and submit Shellfish Logs (Form 88-140) include those permitted in the ocean quahog or surf clam fisheries. Approximately 1,700 vessels are permitted in these fisheries, however many of those are also permitted in other fisheries and fulfill their reporting requirements by submitting Form 88-30. Approximately 103 of the vessels permitted in the surf clam and ocean quahog fisheries submit Form 88-140. The estimated response time for the Shellfish Log is 12 and a half minutes. Vessels required to report purchases through the IVR system include those permitted in the Atlantic herring, tilefish or red crab fisheries. **Total burden is 1,115 hours.**

Approximately 125 vessels are permitted in one of the fisheries requiring IVR reports to be submitted. However, vessels are only required to submit IVR reports if they land the relevant species, and if they meet other criteria. Therefore, only a fraction of those vessels permitted in the herring, tilefish or red crab fisheries actually submit IVR reports. These respondents are accounted for in the mandatory VTR collection. The IVR burden in the Herring and Red Crab fisheries is estimated to be 4 minutes to complete the phone call, including one minute to summarize the information and three minutes to call-in the information. A reduced amount of data is collected with Tilefish IVR reporting and its burden is estimated to be 2 minutes to complete the phone call, including one minute to summarize the information and one minute to call-in the information. **Total burden is 385 hours.**

The burden associated with VMS catch reporting is difficult to accurately estimate since the frequency of participation in the special management programs will be determined entirely by the vessel owner. Table 1 summarizes the number of respondents, and the total burden of the reporting requirements.

VMS catch reporting burden, estimated at 15 minutes per response, is an estimate of the data collection burdens associated with universal daily electronic catch reporting, including the reporting of the universal trip identification number, for the special management programs, including the Category B (regular) DAS program, the U.S./Canada Management Area, and approved SAPs. Vessels participating in these programs and required to submit daily catch and discard information would still be required to submit VTRs according to the regulations at § 648.7(b). **Total VMS catch reporting burden is 6,279 hours.**

Vessels participating in the GB Cod Hook Sector, a total of 58 vessels, are required to submit a daily catch report of GB cod and GB haddock in the form of VTRs to the Sector Manager for the 45 days of the sector participation period. The VTRs are copies of the VTR required by NMFS and therefore pose no additional reporting burden. The Sector Manager would then, in turn, submit this information to the NMFS to monitor catch from Sector vessels. The additional

burden for the Sector Manager to submit this combined information to NMFS is estimated to be **90 hours** (2 hours/report x 1 report/day x 45 days).

Total hours are 112,115. A wage and overhead rate of $18.88 per hour is used in calculation of the labor cost associated with vessel reporting. **Total labor costs are $228,741.**

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 recordkeeping/reporting cost associated with logbook collection is the cost of postage. The number of VTRs submitted monthly is variable and dependent upon the number of fishing trips made by a vessel. Logbook reports are submitted monthly, with some packages containing one form and some containing dozens of forms. Respondent costs for the VTRs are calculated based on an average mailing cost for logbooks of $0.44 per submission **Table 1** details the costs associated with VTR reporting, **totaling $24,968**.

Respondents are required to retain copies of the logbook reports for a period of three years after the date of the last entry on the report for purposes of enforcement investigations, and to serve as the official records for establishing individual vessel allocations. Enforcement investigations may take up to three years before agents interview the respondents. Retention of a copy of the records submitted removes the possible excuse for non-reporting that the original was mailed to but not received by NMFS. Records may also be used to determine historical participants, in the case of limited-entry fisheries. Business records are normally retained for 3 years and some fishermen use these forms for that purpose. Thus, there is minimal impact on public burden by this requirement.

All participants in special management programs must currently use VMS. All vessels that do not currently possess VMS must obtain one under this provision. The cost of purchasing and installing VMS, along with the associated basic operational costs, have already been considered in previous information collection submissions of the "Northeast Permit Family of Forms" (OMB Control Number 0648-0202).

Costs involved with this information collection submission include only those associated with the additional submission of daily catch and discard reports for vessels operating within these programs and the inclusion of a universal trip identification number on these catch reports and the date of catch. The estimates of the total annual cost burden to respondents or record-keepers resulting from this collection are summarized in **Table 1**.

Vessels fishing in any of the special management programs would be required to report daily catch information for each stock of concern along with a universal trip identification number on each of these daily catch reports. Framework 42 proposes a total of eight (8) stocks of concern. These eight stocks of concern involve only six (6) species (both cod and yellowtail flounder are listed for two stock areas each). In addition to the species of concern, catch of haddock is required to be reported as a target species for the SAPs, and a species managed under the U.S./Canada Resource Understanding. Therefore, the universal catch report would require catch and discard information for cod, yellowtail flounder, winter flounder, witch flounder, white hake, plaice, and haddock.

For the daily catch reports via VMS, each universal trip identification number submitted would require the entry of up to ten (10) digits. The amount of each species kept and discarded would require the submission of up to six (6) digits per field or 12 digits per species. Reports for the special management programs would involve the submission of catch data for all seven (7) species. The most expensive vendor charges a fee of $0.004 for each character in an electronic message. Each submission of these daily catch reports would cost $0.50. Using a cost of $0.004 per character, the cost for reporting the daily catch and discard data is $0.82 [79 characters [((12 characters/species x 7 species) x $0.004/character) + $0.50/submission] for the special management programs. The inclusion of the universal trip identification number would cost $0.04 (10 characters x $0.004/character) per catch report. Finally, submission of the date of the catch would cost $0.02 (6 characters x $0.004/character) per catch report. Therefore, the submission of each complete catch report would cost **$0.88**, detailed in **Table 1** below, **with a total of $22,101:**

The Category B (regular) DAS Program is allocated 3,500 DAS, plus an additional 1,500 trips allowed by the flipping of 1,500 Category B (regular) DAS Program trips. Therefore, the total annualized cost to the public for the Category B (regular) DAS Program is **$4,188** for the universal catch reports including the date of catch [($0.82/catch report submission x 5,000 catch reports) + ($0.02 x 5,000 catch reports)] plus an additional **$199** for the universal trip identification number ($0.04/addition of trip identification x 5,000 catch reports).

It is estimated that 14,000 trips will be taken into the U.S./Canada Management Area. Of these trips, approximately 2,000 trips are estimated to be taken into the Western U.S./Canada Management Area. These trips are estimated separately because vessels fishing in the Western U.S./Canada Area are permitted to fish inside and outside of the area on the same trip. A highly conservative estimate assumes that each trip into the Western U.S./Canada Area would fish inside and outside of the Western U.S./Canada Area, crossing the boundary of this area twice per trip. Vessel operators that choose to exercise this option are required to submit a catch report each time that they cross the boundary of the management area. Therefore, the total annualized cost to the public for the universal catch reports, including the submission of the date of catch for vessels operating in the U.S./Canada Management Area is **$11,760** [(14,000 catch reports x $0.82/catch report submission) + (14,000 catch reports x $0.02/catch report)] and **$3,360** for vessels operating in the Western U.S./Canada Area (4,000 catch reports x $0.82/catch report submission) + (4,000 catch reports x $0.02/catch report)]. For the trip identification number, the annualized costs are **$560** for vessels fishing in the U.S./Canada Management Area (14,000 catch reports x $0.04/addition of trip identification number) and an additional **$160** for vessels fishing in the Western U.S./Canada Area (4,000 catch reports x $0.04/addition of trip identification number).

The total annualized cost to the public for vessels in CA I Hook Gear Haddock SAP, not participating in GB Cod Hook Sector, is **$1,789** [($0.82 x 2,130 daily reports) + ($0.02 x 2,130 daily reports)]. For the trip identification number, the annualized cost is **$85** ($0.04 x 2,130 reports).

The total annualized cost to the public for vessels in the CA I Hook Gear Haddock SAP that are in the GB Hook Sector and report to NMFS through the Sector Manager is $0.00, assuming an

electronic submission of the report via email which adds no additional cost burden to the Sector Manager.

The total reporting/recordkeeping costs for submission of logbooks catch reports and the Universal Data ID are $47,069: $24,968 + $22,101. There are NO reporting/recordkeeping costs for IVR submissions or for the GB Cod Sector reports emailed by the Sector Manager.

14. <u>Provide estimates of annualized cost to the Federal government</u>.

The estimated annual costs to the NMFS associated with the VTR and IVR data collection programs are identified in **Table 2** below. The personnel and service costs consist of staff, equipment, processing and printing costs.

The NMFS Northeast Region currently operates a VMS system for several fisheries, including the NE multispecies fishery. The estimates of the annual administrative and enforcement costs to the Federal Government from this program are summarized in **Table 2**. The ongoing (recurring) costs amount to $352,293 a year and include staff costs, internet connection, training, travel and the annual costs for equipment and the back-up system. These costs are not expected to increase with the modifications to the VMS requirement for the submission of electronic catch reporting for vessels participating in the programs authorized by Framework 42.

TABLE 2 CALCULATION OF ANNUAL COST TO FEDERAL GOVERNMENT

Report		Personnel & Service Costs	Other Program Costs	Total Annual Costs
VTR (88-30)		658,374	35,000	$693,374
Shellfish Log (88-140)		18,359	1,500	$19,859
IVR		10,113	1,000	$11,113
VMS Annual costs	Salary and Benefits	230,000		$230,000
	Internet Connection		7,500	$7,500
	Equipment		20,000	$20,000
	Back-up System		38,960	$38,960
	Software Licensing		3,500	$3,500
	Supplies		11,000	$11,000
	Training and Travel		8,000	$8,000
Start-up Costs	Software Adaptations	$100,000 amortized over 3 years	33,000	$33,000
Total				$1,076,306

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

The responses and burden hours have decreased due to reduced activity. However, the costs per submission have increased, mainly due to corrected calculation of VMS catch reporting costs, so that costs have increased overall.

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

Results from this collection may be used in scientific, management, technical or general informational publications such as Fisheries of the United States, which follows prescribed statistical tabulations and summary table formats. Data are available to the general public on request in summary form only; data are available to NMFS employees in detailed form on a need-to-know basis only.

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 logbook forms will display the OMB Control number and expiration date along with information relevant to the PRA.

The VMS and IVR components of this information submission would be carried out via electronic means. As a result, no standardized data collection forms would be collected as part of this submission.

18. Explain each exception to the certification statement.

NA.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

Table 1

Report	No. of Respondents	No. of Annual Responses per Respondent	Total No. of Annual Responses	Response Time (Hours)	Average Recordkeeping / Reporting (R/R) Costs	Total Burden (Hours)	Public Labor Cost ($)	Total R/R Cost Burden
FVTR (88-30) Mandatory	4243	12	50,916	0.0833	0.44	4,242	$80,089	$22,403
FVTR (88-30) Halibut-Vol	158	3	474	0.0083	0.44	4	$76	$209
Shellfish Log (88-140)	103	52	5,356	0.208	0.44	1,115	$21,052	$2,357
Herring IVR	106	52	5,512	0.067	0	370	$6,986	$0
Red Crab IVR	5	17	85	0.067	0	6	$114	$0
Tilefish IVR	13	19	247	0.033	0	9	$170	$0
VMS Catch Reports with Universal Data ID:								
VMS Regular B days	997	5	4,985	0.25	0.88	1,246	$23,600	$4,200
VMS - CAI Hookgear Haddock SAP - Vessels **Not** Participating in the GB Cod Hook Sector	142	15	2,130	0.25	0.88	533	$10,064	$1,789
VMS - Combined West U.S./Canada Area	400	10	4,000	0.25	0.88	1,000	$18,880	$3,360
VMS - US/Canada Areas and CA II SAPs	400	35	14,000	0.25	0.88	3,500	$66,080	$11,760
VMS - CAI Hookgear Haddock SAP - Vessels **Participating** in the GB Cod Hook Sector – **VTR copies**	58	(45 responses total by Sector Manager)	45	2	0	90	$1,699	$0
TOTALS	**4,346 (unduplicated)**		**87,750**			**12,115**	**$228,741**	**$47,069**