

SUPPORTING STATEMENT
VESSEL INFORMATION FAMILY OF FORMS UNDER THE WESTERN AND
CENTRAL PACIFIC FISHERIES CONVENTION
OMB CONTROL NO.: 0648-XXXX

A. Justification

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

The Western and Central Pacific Fisheries Convention Implementation Act (WCPFCIA), [Title V of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act](#), gives the Secretary of Commerce the authority to enact regulations to fulfill the Western and Central Pacific Fisheries Convention (WCPFC) requirement that all member States maintain and provide to the Western and Central Pacific Fisheries Commission (Commission) a list of vessels flagged by the member State and (1) authorized by the member State to be used for fishing for highly migratory fish stocks (HMS) on the high seas in the WCPFC Area, or (2) authorized by other States to be used for fishing for HMS in their areas of jurisdiction in the WCPFC Area, and to maintain and provide for each vessel on that list certain information on its characteristics and its owner and operator.

Vessels in the first category already provide most of the required information under existing laws and regulations. All such vessels must be documented by the United States Coast Guard (USCG) or be state-registered and must hold a valid High Seas Fishing Permit (issued under the authority of the [High Seas Fishing Compliance Act](#) (HSFCA)). Under these existing documentation/ registration and permitting requirements, the vessel owner or operator must comply with information collection requirements that fulfill most of the needs under the WCPFCIA. This new information collection requirement will serve to collect the few pieces of information required under the WCPFCIA that are not already collected via existing mechanisms, and a form customized for this category of vessels will be used.

Vessels in the second category already provide information as part of the USCG documentation or State registration processes, but such vessels do not need to hold High Seas Fishing Permits (unless they also fish on the high seas), so they will not necessarily be submitting the information collected via that permitting process. This new information collection requirement will serve to collect the pieces of information required under the WCPFCIA that are not already collected via existing mechanisms, and a form customized for this category of vessels will be used.

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 the applicable Information Quality Guidelines.

The information will be used by the National Marine Fisheries Service (NMFS), the USGC, and the Commission to monitor the size and composition of the HMS fleets in the WCPFC Area for compliance-related and scientific purposes. Knowing such information as the number of vessels,

the specifics of the vessels and their ownership, and the types of gear employed enables effective monitoring of vessel activity for enforcement and assessment purposes.

The frequency of the collection of information will be the same as the frequency of collection used for High Seas Fishing Permit applications, currently once every five years (the overall collection will be continuous; the collection frequency from the perspective of the vessel owner/operator will be once every five years).

Owners or operators of vessels in the first category (see response to Question 1) will be required to provide the information specified in an application for a *WCPFC Area Endorsement*, which is a fishing authorization that will be issued supplemental to, and as an endorsement on, the High Seas Fishing Permits issued under the HSFCA. The information collected on this application will include the following:

- a) USCG documentation number or State registration number and vessel name;
- b) Total fish hold capacity;
- c) International radio call sign;
- d) Refrigeration/freezer types, numbers of units, and refrigeration/freezer capacity;
- e) Fishing methods used;
- f) Vessel operator information: name and country of citizenship;
- g) Vessel communication types and numbers (Inmarsat mobile unit numbers and satellite telephone number);
- h) Color photograph of vessel and date of photograph; and
- i) Signature of vessel owner or operator and date of signature.

Owners or operators in the second category will be required to provide the information specified in the form *Information Required for U.S. Vessels Used for Commercial Fishing for Highly Migratory Species in the Western and Central Pacific Fisheries Convention Area in Areas under the Jurisdiction of any Nation other than the United States* (hereafter, *Foreign EEZ Form*). The information collected on this form will include the following:

- a) USCG documentation number or State registration number and vessel name;
- b) International Radio Call Sign;
- c) Indication of whether or not a High Seas Fishing Permit or a WCPFC Area Endorsement for the vessel has been issued or applied for;
- d) Total fish hold capacity;
- e) Crew size (including officers);
- f) Shaft horsepower;
- g) Refrigeration/freezer types, numbers of units, and refrigeration/freezer capacity;
- h) Fishing methods used;
- i) Fishing vessel type;
- j) Vessel communication types and numbers (Inmarsat mobile unit numbers, and satellite telephone number);
- k) Vessel ownership information: corporate/individual name(s), incorporation date, address(es), and telephone and fax numbers;

- l) Vessel operator information: name and country of citizenship;
- m) Previous vessel flags and names (if flagged under other nations, for each flag: nation, period flagged, name of vessel, international radio call sign, and homeport);
- n) Authorization-to-fish information: for each authorization issued by another nation: name of issuing nation, name of issuing authority and authorization, activities authorized, species for which fishing is authorized, areas in which the vessel is authorized to fish, period of validity, and authorization number/identifier;
- o) Color photograph of vessel and date of photograph; and
- p) Signature of vessel owner or operator and date of signature.

Up to the point of submitting the information to the Commission, sharing it with other U.S. agencies such as the USCG, or disseminating it to the public, NMFS will retain control over it and safeguard it from improper access, modification, and destruction consistent with NOAA policies. None of the collected information will be considered to be confidential or protected by NMFS as such. Once submitted to the Commission, the Commission will maintain and control access to the information in accordance with its *Rules and Procedures for the Protection of, Access to, and Dissemination of Data Compiled by the Commission*. According to those rules and procedures, the information will be treated as public domain data; that is, it will not be treated as confidential or protected as such. Most or all of the information will be disseminated by the Commission to the public via the Commission's public website. It will be disseminated in close to its original form.

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, electric, mechanical, or other technological techniques or other forms of information technology.

The website for the Pacific Islands Regional Office of NMFS at <http://www.fpir.noaa.gov> will be used to inform the public about the collection of information necessary to comply with management program requirements. The required forms and instructions will be made available online for downloading, filling and mailing, at the same website.

4. Describe efforts to identify duplication.

As mentioned in Question 1, some of the vessel information required under the WCPFCIA is collected via the HSFCA and by the USCG. The two forms used for this collection, described in Question 2, are designed to avoid duplication: only information not already collected under existing mechanisms will be collected. In addition to the two forms being customized for each of the two categories of vessels, owners/operators of vessels in the second category will be required to submit only those pieces of information specified on the *Foreign EEZ Form* that they have not provided on applications for a High Seas Fishing Permit and a WCPFC Area Endorsement (which some but not all are expected to apply for).

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

All fishing operations subject to this collection of information, with the possible exception of a few large-scale tuna purse seine, carrier, and bunker vessel operations, are small businesses. However, all of the data collected have been deemed necessary by the Contracting Parties to the WCPFC, including the United States, and the reporting burden is very minor relative to the overall cost of fishing. As described in Questions 1, 3 and 4, efforts have been made to rely on existing information collection mechanisms as much as possible.

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

If the information is not collected, the U.S. government will not meet its obligations as a Contracting Party to the WCPFC and a member of the Commission, and would consequently fail to fulfill the provisions of the WCPFCIA. The lack of collected data from the U.S. HMS fleets operating in the WCPFC Area would provide a disincentive to the other fishing nations in the region to provide to the Commission vessel data for their fleets. The effective management of the fishery resources under the WCPFC would consequently be compromised.

As described in Question 2, the information would be collected once every five years, in part to keep this collection in synchrony with the related collection under the HSFCA. Collecting the information less frequently would be administratively awkward and possibly less efficient for both the government and the respondents. It would probably also result in less reliable data, as they would be updated less frequently.

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

The collection is consistent 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 proposed rule, RIN 0648-AV63, will solicit public comments on this information collection.

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

No payment or gifts to respondents will be provided.

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

No assurance of confidentiality will be provided to respondents.

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 will be asked.

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

The number of vessels subject to the collection will vary over time, depending on the number active in the WCPFC Area. This number cannot be predicted with great certainty.

For purposes of this collection, the respondents in the first category of vessels (those required to submit the information required on the *WCPFC Area Endorsement* application) are expected to include the following: (1) 40 purse seine vessels, which is the maximum number of licenses available under the South Pacific Tuna Treaty; (2) 139 longline vessels, which is the number that as of April 2008 had both a High Seas Fishing Permit and any one of the four federal permits that authorizes pelagic longline fishing in the Pacific Ocean; (3) 69 troll vessels, which is the maximum number of West Coast-based albacore vessels that fished in the Convention Area in any one of the last five years; and (4) 5 support vessels (i.e., carrier vessels, bunker vessels and other vessels that support the operations of HMS harvesting vessels), which is the projected number to become active in the Convention Area in the next few years. Thus it is projected that the owners/operators of a total of 253 vessels will be required to respond to this component of the collection.

The number of respondents in the second category of vessels (those required to submit the information required on the *Foreign EEZ Form*) is projected to be about 60, including 40 purse seine vessels and 20 fishing vessels of unknown type. Although some of these respondents might also fall in the first category and therefore not have to provide the redundant information specified in the *Foreign EEZ Form*, the estimated number of such respondents is zero for the purpose of this calculation.

Total respondents: $313/5 = 63$.

Following are the estimates of the burden associated with the collection of information process for each of the two collection forms.

WCPFC Area Endorsement application:

253 vessels x 1 response per vessel per 5 yr x 60 minutes per response = $253/5 = 51$ hr/yr

Total estimated burden per year = 51 hours

Total estimated responses per year = 51 @ 1 hour.

Foreign EEZ Form:

60 vessels x 1 response per vessel per 5 yr x 90 minutes per response = 60/5 = 12 x 90 minutes = 18 hr/yr

Total estimated burden per year = 18 hours

Total estimated responses per year = 12 @ 1.5 hours.

Totals:

Total estimated burden per year = 69 hours (51 + 18)

Total estimated responses per year = 63 (51 + 12).

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).

WCPFC Area Endorsement application: \$167 per year

Mailing costs: 253 vessels x \$1.00 per response = \$51 per yr.

Nonrefundable fee of \$23: \$5,819/5 yr = \$116.38 (\$116) per yr.

Foreign EEZ form:

Mailing costs:

60 vessels x 1 response per vessel per 5 yr x \$1.00 per response = \$12 per yr.

Total costs: \$179 per yr.

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

Issue notices of receipt of information to all respondents (WCPFC Area Endorsements for vessels in the first category and acknowledgements of receipt for vessels in the second category):

Labor: 0.017 hr (1 minute)/form x \$15.03/hr (ZS03) x 313 forms/5 yr = \$ 16/yr

Review collected information for completeness and enter information into database:

Labor: 0.033 hr (2 minutes)/form x \$15.03/hr (ZS03) x 313 forms/5 yr = \$ 31/yr

Phone calls to obtain information that was missing (10% of respondents):

Labor: 0.083 hr (5 minutes)/form x \$15.03/hr (ZS03) x 31.3 forms/5 yr = \$ 8/yr

Mailing and handling of applications:

Labor: 0.017 hr (1 minute)/form x \$15.03/hr (ZS03) x 313 forms/5 yr = \$ 16/yr

Postage and supplies: \$1.00/form x 313 forms/5 yr = \$ 63/yr

Total: \$134/yr.

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

Not applicable as this is a new program.

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

As described in Question 2, the data will be made publicly available on the Commission website, along with similar data from other Commission members, in a searchable and downloadable online database. No information collected is specifically intended for formal scientific publication at this time, but it might be used for such purposes by NMFS or other parties. In addition to using the information in its raw format for day-to-day management purposes, NMFS, the USCG, and the Commission may also use the data (primarily in aggregated, summarized, and synthesized format) for informal publications such as technical papers and reports.

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.

Not applicable.

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

Not applicable.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are employed.