

**SUPPORTING STATEMENT
ECONOMIC EXPENDITURE SURVEY OF GOLDEN CRAB FISHERMEN
IN THE U.S. SOUTH ATLANTIC REGION
OMB CONTROL NO. 0648-XXXX**

A. JUSTIFICATION

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

The National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) proposes an annual data collection of economic information for the South Atlantic golden crab fishery. The golden crab (*chaceon fenneri*) dwells on the continental shelf along the Southeast coast and the west coast of Florida. There is presently a small commercial fishery (six or fewer participants for the past decade) under the jurisdiction of the South Atlantic Fishery Management Council (SAFMC). Although the Council capped the number of issued permits at 11, the sensitive nature of the habitat where fishermen lay crab pots (alongside deepwater coral reefs) poses ecological risks if the fishery is not carefully managed. Accordingly, the Council is presently considering Amendment Five to the Golden Crab Fishery Management plan, which would implement an individual fishing quota (IFQ) program in lieu of or in addition to the current regulatory structure.¹

There has been little economic data collected by NOAA on this fishery beyond that available from the logbook data program operated by the Southeast Fisheries Science Center (SEFSC) and Florida Trip Ticket Program. According to the [Magnuson-Stevens Fishery Conservation and Management Act](#) as amended in 2006 (MSA) (16 U.S.C. 1853a *et seq.*), IFQs fall under the umbrella of the Limited Access Privilege Programs (LAPPs). The data collection is necessary to satisfy MSA requirements, which states that LAPPs submitted by a Council or approved by the Secretary shall “*include provisions for the regular monitoring and review by the Council and the Secretary of the operations of the program, including determining progress in meeting the goals of the program and this Act, and any necessary modification of the program to meet those goals, with a formal and detailed review 5 years after the implementation of the program, and thereafter to coincide with scheduled Council review of the relevant fishery management plan (but no less frequently than once every 7 years)*”. The initial implementation of this survey will serve as the pre-IFQ baseline for comparison to future years should Amendment Five be adopted as expected.

The MSA also states that collection of reliable data is essential to the effective conservation, management, and scientific understanding of the fishery resources of the United States. The nation's fisheries should be "conserved and maintained so as to provide optimal yield (OY) on a continuing basis". Furthermore, the MSA requires that fishery management plans include a

¹ IFQ programs provide fishers with an exclusive harvesting privilege, which permits them to land a share of the total allowable quota (TAC). Granting a secure harvesting privilege mitigates the race to fish because fishers no longer have to compete for a share of the stock. Thus, fishers can devote their efforts to maximizing profits by harvesting, processing, and marketing their catch more efficiently. Depending on the characteristics of the program, shares may be sold or leased among fishers. The presence of transferable privileges allows the creation of a market, where trading can take place. In well-behaved markets, privileges will gravitate towards the most efficient producers; thereby, allowing the less efficient producers to exit the fishery with some compensation.

Fishery Impact Statement (FIS), which assesses, specifies, and describes the likely effects of the conservation and management measures on participants in the fisheries being managed, fishing communities dependent on these fisheries, and participants in fisheries in adjacent areas.

In addition to the needs of the MSA, the [Regulatory Flexibility Act](#) (RFA, 5 U.S.C. 601 *et seq.*), the [National Environmental Policy Act](#) (NEPA, 42 U.S.C. 4372 *et seq.*), and [Executive Order \(EO\) 12866](#) also require socio-economic data collections. Under the RFA, the Small Business Administration needs a determination of whether a proposed rule has a significant impact on a substantial number of small entities that are to be directly regulated. For RFA purposes, one of the criteria to determine significant economic impact involves an assessment of the change in short-term accounting profits for small entities. The NEPA requires a determination of whether Federal actions significantly affect the human environment. This requires a number of economic analyses including the impact on entities that are directly regulated and those that are indirectly affected. Lastly, EO 12866 mandates an economic analysis of the benefits and costs to society of each regulatory alternative considered by the fishery management councils, and a determination of whether the rule is significant.

In addition to satisfying the needs of statutory requirements and pending regulations, fishery management councils have an interest in expanding IFQs programs into other fisheries. Since most IFQs programs in the U.S. are relatively new and differ widely in their characteristics and impacts, a careful review of existing programs will assist in the adjustment of changing or unforeseen circumstances and will also aid in the planning and design of new programs.

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 survey data will be incorporated into economic expenditure and economic impact models of the golden crab fishery. Information from those models may appear in regulatory amendments of the SAFMC, NOAA technical memorandums, and academic research projects.

Questions #1 through #3 ask participants in the fishery to provide information on the means by which the captain and crew are paid. This is necessary to separate out the portion of landings revenues that are retained as owner profits versus those that are paid as wages.

Questions #4 through #7 ask for information on trip expenses, which is necessary to build economic models that can estimate the impact of regulations on profitability, and are standard on most fishing expenditure survey.

Questions #8 through #12 ask for annual boat maintenance costs, which will be used to build a more complete economic model of the crab fishing sector.

Questions #13 through #17 ask for information on the most common gears and technologies used on golden crab fishing boats. As fishermen replace this equipment, it has an impact on their per-trip productivity and (in the case of refrigerated seawater) on the final sale price of the product.

Questions #18 through #20 ask for the opinions on the potential impact of a catch-share system in the fishery, which is currently under consideration by the South Atlantic Fishery Management Council. Information on this subject is currently lacking and will be useful for estimating the impact of shifting to this new and very different regulatory regime.

NOAA Fisheries Service 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 subject 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 proposed data collection will utilize both self-administered mail surveys and follow-up in-person interviews (if necessary). Because the population of active fishermen is extremely small, it is essential to make a complete census of the golden crab participants. Self-administered mail surveys will be the initial instrument, but telephone or in-person interviews will be used if necessary to complete the data collection or to clarify answers.

Initially, all respondents will be contacted via an introductory letter to inform them about the upcoming data collection. Subsequently, fishermen will be provided with the self-administered survey instrument, and asked to return it completed using an enclosed postage pre-paid envelope. If no response is received, then the fishermen will be contacted by phone and urged to return the completed survey, followed by a site visit if necessary. All data will be entered into a desktop computer.

The data collected will not be available to the public over the internet given its confidential nature. However, analytical results of studies based on this data will be disseminated to management agencies and peer-reviewed publications. Some of these studies will likely be available online.

4. Describe efforts to identify duplication.

We have investigated to determine whether there are any federal or state efforts to collect similar socio-economic information from the golden crab fishery. The state of Florida is not planning any such survey, and at a recent meeting of the North American Association of Fisheries Economists (NAAFE), informal talks discovered no other efforts directed towards this fishery. NOAA Staff have attended meetings of the SAFMC Golden Crab Advisory Panel, and none of the fishermen there were aware of any efforts by academic or state researchers to collect economic data from the participants.

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

Many commercial fishing operations are owner- or family-operated small businesses, including all six (6) members of this fishery. We have taken several steps to minimize the burden to these small businesses. First, we designed the survey instrument so that only the minimum data requirements for present and future management needs are collected. This will minimize any potential disruption to fishers' fishing practices. Last, fishers who receive the self-administered survey will be provided with postage-paid return envelopes

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

If these data were collected less frequently or not at all, then the legal requirements set forth by the MSA, NEPA, and EO 12866 would not be met. For example, the MSA requires a formal and detailed review 5 years after the implementation of the IFQ program. The review to be conducted by the SAFMC and Secretary of Commerce must determine whether the program is satisfying the stated goals in the FMP. If current and accurate data are not available then economic assessments of management actions will be potentially inaccurate, thereby leading the SAFMC and NMFS to make poor management decisions. The MSA requires the establishment conservation and management measures to protect the resource, increase social and economic benefits and increase safety using the best available information.

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 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 published on Wednesday, January 26, 2011 (76 FR 4635) solicited public comments. No comments were received.

Copies of the proposed questionnaire were sent to members of the Socioeconomic Subpanel of the Science and Statistical Committee of the SAFMC. Feedback from those members has been incorporated into the questionnaire development.

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

No payments or gifts will be provided to questionnaire respondents.

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

Survey respondents will be advised that any information provided will be considered private and will be treated as confidential in accordance with [NOAA Administrative Order 216-100](#), Confidential Fisheries Statistics and section 402(b) of the MSA (16 U.S.C. 1801, *et seq.*).

It is NMFS' policy not to release confidential data, other than in aggregate form, as the MSA protects (in perpetuity) the confidentiality of those submitting data. Whenever data are requested, the Agency will ensure that information identifying the pecuniary business activity of a particular individual is not identified. Only group averages or group totals will be presented in any reports, publications, or oral presentations of the study's results.

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 will be asked about sexual behavior and attitudes, religious beliefs, or other similar matters of a personal and sensitive nature.

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

It is estimated that the number of respondents will be six and the time per response is about one half hour, for a total annual burden of three hours. The one half hour per response burden includes the time for reading the instructions, reviewing the questions, and completing (and mailing, if necessary) the survey instrument.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

There will be no financial cost to the public to participate in this study.

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

The costs of administering this survey will be minimal. The NMFS staff will be responsible for developing and administering the survey, but as stated the number of participants is no more than ten and will likely be no more than five. The cost of NMFS staff time is estimated at \$2,000. Mailing costs will be incidental.

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

This is a new information collection.

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

Data collected will be used to assess the economics of the golden crab fishery, and if necessary the performance of the golden crab IFQ program implemented by Amendment Five. Descriptive

and analytical reports will include summaries of data. These reports will not release or reveal confidential information. Depending on the availability of funds, we anticipate that reports will be available January 2012. These reports will likely be available in *pdf* format on the NMFS Southeast Fisheries Science Center's web site.

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.

Not Applicable.