

**SUPPORTING STATEMENT**  
**1HIGHLY MIGRATORY SPECIES VESSEL LOGBOOKS AND COST-EARNINGS**  
**DATA REPORTS**  
**OMB CONTROL NO. 0648-0371**

**A. JUSTIFICATION**

This request is for extension of this information collection. The renewal request contains adjustments: 1) increase the overall number of respondents due to a net increase in the number of Highly Migratory Species (HMS) and dolphin/wahoo permit holders, 2) increase the number of Atlantic Tunas HMS Charter/Headboat, and Dolphin/Wahoo commercial and Charter/Headboat permit holders based on recent information, 3) decrease the number of shark and swordfish permit holders, and 4) increase the burden estimate associated with the cost-earnings and logbook forms. The legislative authorities to collect data from the various sectors of the economy that harvest marine resources in the exclusive economic zone are the [Magnuson-Stevens Fishery Conservation and Management Act](#) (Magnuson-Stevens Act) and the [Atlantic Tunas Convention Act](#) (ATCA). Under this dual authority, the Secretary of Commerce has promulgated rules that require specific types of record keeping and data submissions.

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

*1Logbook forms*

This program is necessary to allow the National Marine Fisheries Service (NMFS) to manage Atlantic HMS consistent with legal mandates in the Magnuson-Stevens Act, the Atlantic Tuna Conventions Act (ATCA), the [National Environmental Policy Act](#) (NEPA), and other laws. Without the information collected through this mandatory logbook program, NMFS will not have the information needed to conduct stock assessments, monitor quotas, or prevent overfishing. Based on recent information regarding the number of permit holders, NMFS is increasing the estimated number of respondents for the HMS charter/headboat (from 3,941 to 4,174), Atlantic tuna fisheries (from 24,500 to 28,614), and dolphin/wahoo commercial and charter/headboat fisheries (from 193 to 2,388, and decreasing the number of respondents for shark fisheries (from 527 to 469), and swordfish fisheries (from 340 to 324). This information collection would require vessel logbooks for 10 percent of all Atlantic Tunas permit holders (General, Harpoon, and Purse Seine Categories) and HMS Angling permit holders and 100 percent of all shark, swordfish, HMS charter/headboat, and dolphin/wahoo commercial and charter/headboat permit holders.

In 1999, NMFS issued a Fishery Management Plan for Atlantic Swordfish, Sharks and Tunas (1999 HMS FMP), an amendment to the FMP for Atlantic Billfish (Billfish FMP Amendment), and re-issued HMS regulations in a consolidated form at [50 CFR part 635](#). In implementing the 1999 HMS FMP and the Billfish FMP Amendment, NMFS undertook a comprehensive approach to data collection for all HMS fisheries and made logbook programs existing at that time mandatory for all selected HMS permit holders. While this was already required for shark and swordfish vessels and tuna vessels that harvest swordfish and sharks, it was not required for tuna vessels that used gear types other than longline (e.g., rod and reel, harpoon, purse seine) or for charter/headboats. To improve data collection on fishing effort and catch in the tuna fisheries, NMFS selected ten percent of all permitted tuna vessels for the logbook reporting program

including a portion from all gear categories. Additionally, all charter/headboat vessels fishing for HMS were selected for the logbook program. The 1999 HMS FMP and Billfish FMP Amendment were consolidated in 2006, and these data collection requirements were maintained. NMFS proposes to continue to maintain these selection rates and has provided new estimates of burden hours based on updated information regarding the numbers of permit holders. However, any selected tuna vessels or HMS charter/headboats already reporting through the Northeast Regional Office Multispecies logbook (under OMB Control No. 0648-0212) or other Southeast Regional Office logbooks (under OMB Control No. 0648-0016) could continue to use those logbooks to meet the HMS requirement.

<sup>1</sup>Under [50 CFR part 635.5](#), selected vessel operators are required to complete logbook forms within 48 hours of a set and submit the forms no later than the seventh day after the sale of the off-loaded catch from a trip. Selected vessels include all shark, swordfish, charter/headboats, dolphin/wahoo, and approximately 10 percent of all tuna vessels. The forms submitted consist of a fishing report (catch, discards, effort and fishing area data) or a no-fishing report if no fishing took place during the monthly reporting period. The 48-hour completion deadline requirement results in more timely and accurate reporting of catch and bycatch in HMS fisheries. It also facilitates enforcement of catch restrictions both at sea and at the dock. The annual number of trip summary reports and no-fishing reports expected from each respondent was calculated during the previous renewal of this information collection through an analysis of average number of trips per permit in each fishery (see Table 1 for the expected number of trip summary reports with catch, trip summary reports without catch, and no-fishing reports). This estimate remains unchanged. Although the number of respondents has changed (due to the increase in valid permits), fishing behaviors and techniques, including annual number of trips, is unlikely to have changed.

The United States (U.S.) fisheries that fish directly and indirectly for Atlantic tuna, shark, swordfish, and billfish that are impacted by the 2006 Consolidated HMS FMP record-keeping requirements are as follows:

- For-hire Charterboats
- For-hire Headboats
- Longline Vessels
- Private/Recreational Angling Vessels
- Commercial Handgear Vessels
- Purse Seine Vessels
- Harpoon Vessels
- Gillnet Vessels
- Vessels using other gear

In addition to use for HMS fisheries, the HMS logbook is also used to report catches of dolphin and wahoo by commercial and charter/headboat fisheries.

<sup>1</sup>The logbook package is distributed to all selected vessels and fishermen are required to submit copies of weigh-out slips from dealers for all trips from which fish are sold. The logbook collects the following information: name and address of owner; vessel name and permit number; fishing location; gear; measures of effort; and number and disposition of catch (discarded-dead, alive, tagged, or kept) for each HMS caught. Information on the number and size is used to

assess total and average weight of the target species being harvested. The effort expended allows estimation of catch per unit effort (CPUE), a crucial component of scientific stock assessments. Additionally, information on discards is needed to account for total mortality and to evaluate bycatch reduction efforts required under the Magnuson-Stevens Act.

1There are several forms used to report catch and effort data. A set form is provided for the fishermen to record and submit the catch and effort information for daily trips or, as applicable, for sets (deployment and retrieval of gear as for nets, longlines). To provide the information on the entire trip, fishermen are provided a trip summary form (combined with cost-earnings form). This form eliminates the need to record certain information that is redundant for every set or day of the fishing trip, e.g., the start and ending dates for the trip, the unloading site, etc.

The HMS reporting regulations also require fishermen to include a copy of the unloading weigh-out slips (i.e., tally sheet) for each trip where fish are sold. This receipt is provided by the seafood dealer as a normal business practice and does not constitute any additional reporting burden. However, because each species is weighed individually and the individual weights are listed on the tally sheet, these data provide the size frequency data that are a fundamental part of a stock assessment for these species. If the tally sheets were not provided, NMFS would have to use a very costly on-site sampling program to collect the same size frequency data.

This logbook program supplements data that are collected in the NMFS Marine Recreational Information Program (MRIP), which coordinates recreational fisheries surveys and includes the For-Hire Survey (FHS), the Large Pelagic Survey (LPS) (OMB Control No. 0648-0380), the Automated Landings Reporting System (ALRS) and the HMS Catch Card programs in MD and NC (OMB Control No. 0648-0328), the Recreational Billfish Survey (RBS) (OMB Control No. 0648-0020), and the commercial landing cards for Atlantic bluefin tuna (OMB Control No. 0648-0040). Each of these programs is discussed in detail below in relation to each of the applicable fisheries.

### 1For-Hire Charterboats (All HMS)

Offshore fishing trips targeting highly migratory species typically make up a relatively small proportion of all recreational fishing trips. Since catching HMS on recreational fishing trips is a “rare event,” generalized angler surveys aimed at estimating catch and effort for all species do not produce very precise estimates for many highly migratory species. In such cases specialized surveys such as the Large Pelagics Survey (LPS) or other data collection approaches (e.g., catch card programs) are needed to achieve the desired level of statistical precision. The LPS was specifically designed to collect information on recreational fishing directed at highly migratory species (e.g., tunas, billfishes, swordfish, and sharks). This specialization has allowed higher levels of sampling needed to provide more precise estimates of pelagic fishing effort and catches of highly migratory species. However, at present the LPS is conducted only from Maine through Virginia. The Marine Recreational Information Program (MRIP) is a new NMFS initiative aimed at improving recreational fishery survey methods for all species nationwide. Specific objectives of MRIP for HMS are to 1) assess the statistical design and effectiveness of current HMS data collection programs, 2) develop new data collection methodologies as needed, and 3) expand the geographic, temporal, and species scope of HMS data collection efforts to meet management and science needs. Completed MRIP HMS projects include characterization studies of HMS recreational fisheries in Puerto Rico, the South Atlantic and the Gulf of Mexico,

an evaluation of HMS tournament sampling, and HMS private boat and charter boat pilot surveys in Florida.

The ALRS collects data on total landings of recreationally-caught bluefin tuna (i.e., not sold). In 1997, NMFS instituted this mandatory catch reporting system to supplement monitoring of the recreational fishery for bluefin tuna. Although this call-in requirement is an integral part of the recreational monitoring system, it has not replaced traditional survey methods for data collection in the recreational fishery since compliance rates are low. One of the new MRIP pilot programs will look into designing a better system with a better compliance rate.

Different surveys (FHS, LPS, ALRS, etc) were initially used to collect data from different people over different time frames. MRIP is coordinating and evaluating the aforementioned surveys to improve data quality. The programs serve different purposes, and although rare, some reporting overlap may occur to get the specialized information that each program provides. For example, FHS or LPS samplers both interview charter/headboat participants for total catch data, but LPS specifically targets HMS charter/headboat permit holders. The ALRS collects only recreational bluefin tuna landing data, and do not incorporate catch, effort, or other HMS data; however these vessel trips may also be reported in the FHS and/or the LPS.

In many fisheries, CPUE measures provide an important indication of stock size. Because charter vessels participate extensively in HMS fisheries, it is critical that effort and CPUE data be provided in order for a comprehensive stock assessment to be prepared. It should also be noted that CPUE data for this sector of the fishery has provided time series data to calculate an index of abundance for several HMS, and has been an integral part of the stock assessments for these species. Due to concern about respondent burden, the aforementioned survey techniques do not collect all data elements that might help to standardize effort and CPUE indices, yet they are the sole source of information at this time.

The charter logbook collects information similar to that currently collected from the billfish tournament reporting form and the pelagic logbook used for commercial gear. Vessels are required to complete the HMS logbook if their vessel is selected and they are notified in writing. NMFS is evaluating the use of logbook data from charterboats, rather than survey data, for use in stock assessments.

#### 1For-Hire Headboats (All HMS)

Headboat fishing is generally considered recreational fishing for HMS, and like the charterboat sector, the logbook program collects effort and CPUE data from this small and specialized sector of the recreational fishing industry. However, an HMS Charter/Headboat permit is considered a commercial permit for the purposes of Atlantic tunas because the owner/operator is allowed to sell any tuna caught, subject to catch regulations. Total catch and effort for all HMS headboat fishing activities are collected from the headboat logbook program. The need for good quality, representative CPUE and species composition data from this sector of the recreational fishery is the primary reason that this logbook program was implemented. The headboat logbook is used to collect information similar to that of the charter logbooks which are described above.

### Longline Vessels (Tuna, shark, swordfish)

The objective of the logbook program for this fishery is to provide detailed, comprehensive data on catches, discards, effort and fishing location for fishermen that catch HMS, either as the primary (i.e., target) species or as incidental catch. The data collected is an integral part of stock assessments for HMS. Because the variability in the amount of catches between longline sets is significant, scientists need the data recorded for individual sets. This includes vessels in the shark and swordfish fisheries along with the Atlantic tunas incidental fishery. All permit holders are selected; NMFS provides all materials necessary for reporting.

### Private/Recreational Vessels (Tuna only)

NMFS currently conducts statistical surveys of portions of the recreational fisheries. The primary survey vehicles of the recreational sector conducted by NMFS are the MRIP surveys and the LPS. In addition, census data on landings of bluefin tuna are obtained through the ALRS and HMS Catch Card programs in NC and MD (see charter vessel discussion). MRIP also includes a National Saltwater Angler Registry. Anglers either register directly on the MRIP webpage, or are automatically registered in the MRIP Registry by their home states when purchasing a state fishing license. HMS permit holders are exempt from registering, however others fishing on the boat must still register or get the state license, if required. The LPS was originally designed to estimate the annual recreational catches of bluefin tuna from Virginia through New England, and the LPS collects catch information on other HMS at certain times and in certain areas.

The purpose of the HMS logbook is to provide detailed, comprehensive data on catches, landings, discards, effort and fishing location from fishermen that target HMS. Ten percent of current recreational tuna permit holders will be chosen at random to complete the logbook for one season. Selection will be stratified by geographic area and permit type (Atlantic HMS Angling and Atlantic Tunas or General Category). Those chosen will be notified by NMFS prior to the season opening. NMFS also provides all materials necessary for reporting. The logbook supplements and enhances the information from the surveys discussed above.

### Purse Seine Vessels (Tuna only)

The objective of the logbook program for the purse seine fishery is to provide detailed, comprehensive data on catches, discards, effort and fishing location from fishermen that catch HMS as a target species. This data will supplement and enhance the data currently collected through dealer landing reports. The ALRS, LPS, MRIP, and FHS do not apply to purse seine vessels.

### Harpoon Vessels (Tuna, Shark, Swordfish)

The HMS logbook program enables NMFS to more accurately monitor the harpoon fishery by collecting information pertaining to the species targeted and effort expended. At this time, information from harpoon category vessels is not used to calculate CPUE because some of the needed data is not available. Detailed logbook information enhances NMFS' ability to create a CPUE index by enabling standardization of effort. The LPS, MRIP, and FHS do not apply to harpoon vessels.

## Gillnet Vessels (Shark)

1The objective of the logbook program for this fishery is to provide detailed, comprehensive data on catches, discards, effort and fishing location from fishermen that catch shark as the primary (i.e., target) species. The data collected is an integral part of stock assessments for HMS because the variability in the amount of catches between drift gillnet sets is significant and scientists need the data recorded for individual sets. This collection affects vessels in the directed shark fishery. The LPS, MRIP, and FHS do not apply to shark gillnet vessels.

Indications from several stock assessments are that many shark species are being overfished. CPUE and good data on total effort will greatly assist NMFS to further manage these stocks. Logbook data also provide better data on the catches of individual species of sharks. Prior to the implementation of the logbook program, landings (purchases) data that were reported by seafood dealers were the only data available on the quantity of sharks that were being harvested. Landings data are usually reported by generic categories (e.g., “sharks”), and not by individual species. Thus, logbooks provide better data on species composition.

## Dolphin/Wahoo Commercial and Charter/Headboat

1Prior to 2004, there was no federal permit and, therefore, no attendant reporting requirements for dolphin and wahoo. Logbooks are a source of comprehensive and accurate data necessary for estimating fishing mortality. Without sufficient data, it was difficult to determine the stock status of dolphin and wahoo. Some data was available because some vessels reported dolphin and wahoo if the vessel held another federal permit, such as the South Atlantic snapper-grouper, king mackerel, or swordfish permits. Some commercial fishermen that specifically targeted dolphin and wahoo did not have any federal permits and were not reporting catches of dolphin and wahoo. These fishermen probably have a higher CPUE than fishermen that catch dolphin and wahoo incidentally with other species, which made it important to collect the CPUE data from the fishermen catching, but not reporting, their fishing activity for dolphin and wahoo.

After 2004, with the implementation of the federal dolphin/wahoo permit, all vessels targeting dolphin/wahoo were required to submit a logbook. Dolphin/wahoo permit holders that do not hold any other type of federal permit are required to report their catch in the HMS logbook; otherwise, they may report through the mechanism specified under their non-HMS permit. The HMS logbook was selected to minimize the number of federal logbooks and dolphin and wahoo were already listed in the HMS logbook. Those vessels already reporting in another federal logbook do not have 1any additional reporting burden as long as the dolphin and wahoo catches are recorded in the other federal logbook.

## *Cost-earnings form*

NMFS proposes to continue the information collection requirements of the HMS Vessel Logbook such that the economic portion of the Trip Summary Form would be mandatory for selected vessels. If selected, owners and operators of vessels with federal permits for highly migratory species (tunas, swordfish, and sharks) must maintain and submit a trip expense and earnings report within 30 days of completing the fishing trip. The information on the cost-earnings form includes information that could be used to calculate the revenues spent and on what products for a trip, and calculate the profits of a trip and how those profits were dispersed,

the price and amount of fuel, bait, lightsticks, ice, and groceries used per trip, the total cost of the trip, the number of crew, and the shares the owner, captain, and crew obtained from the trip. For charter/headboats, required information could include the number of passengers, the total fare receipts, and total costs for consumer goods and concession goods. NMFS also proposes to continue collecting economic data through an Annual Expenditures Form, which would be mandatory for selected vessels.

1Mandatory submission of the economic data is needed to accurately assess the economic impacts of proposed fishery management regulations on fishermen and their communities as required by NEPA, [Executive Order 12866](#), the [Regulatory Flexibility Act](#) (RFA), and National Standards 7 and 8 of the Magnuson-Stevens Fishery Act. When cost-earnings reporting was initiated in 1996, there was a relatively high voluntary response rate (approximately 24 percent of all trips). However, in one year, the overall response rate fell to approximately 11 percent. In 1999, the overall response rate was approximately 10 percent. Additionally, analysis of the data revealed that self-selection resulted in an uneven data collection, with little to no information existing for some areas and much information for other areas. In summary, a voluntary program resulted in a data collection that could not be used to represent all segments of the fleet.

Mandatory collection of trip-specific cost-earnings data was implemented in 2002 on a trip level and annual level. Overall, trip level economic data improves estimates of profitability and cash-flow; necessary elements for the regulatory impact analyses required by RFA and E.O. 12866. In addition, it improves estimates of the net benefits associated with different fishing areas, which is crucial for assessing effects of area and seasonal closures on fishermen. This economic information allows NMFS to better achieve resource conservation goals while mitigating economic impact on the fishermen, the vessel services sector, and dependent communities.

1Additional impetus for mandatory economic data collection has resulted from the Small Business Regulatory Enforcement and Fairness Act of 1996, which amended the RFA to make compliance with the analytical requirements subject to judicial review, and the subsequent revision of NMFS' guidelines for economic analysis of fishery management actions, which focuses on the profitability of firms over both the short- and long-term. Analyses that can fully withstand legal challenges can only be performed with representative firm-level economic data.

For some data, it is not necessary to collect information on a per-trip basis. Thus, the Annual Expenditures Form includes information such as the cost of repairs and maintenance, all fishing supplies, insurance, purchase of capital, boat dockage, loan payments, and business taxes. This information was removed from the trip summary form and included on an Annual Expenditures Form in 2002.

**2. 1Explain how, by whom, how frequently, and for what purpose the information will be used. 1If 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.**

1The information requested on logbooks will be used by various offices of NMFS, Regional Fishery Management Council staff, the U.S. Coast Guard, and state fishery agencies under contract to NMFS to develop, implement, and monitor fishery management strategies. Analyses and summaries of logbook and cost-earnings data are used by NMFS, the Regional Councils, the

Departments of State and Commerce, OMB, the fishing industry, Congressional staff, and the public, to answer questions about the nature of fisheries resources. Information on endangered species or marine mammals and their incidental take is required from those fisheries where such interactions are likely to occur. These data will help NMFS meet requirements under the [Marine Mammal Protection Act](#) and the [Endangered Species Act](#), and to respond appropriately.

The data will serve as input for a variety of analyses, such as: biological opinions and stock assessments; E.O. 12866 regulatory impact analyses; quota and allocation selections and monitoring; economic profitability profiles; trade and import tariff decisions; and identification of ecological interactions among species.

The logbook evolved as a means of collecting data from specific user groups within fisheries that are managed under federally implemented FMPs. For HMS, the Southeast Fisheries Science Center (SEFSC) has the responsibility for both preparation of stock assessments (estimation of maximum sustainable yield and/or other indexes of biomass) and collection of the scientific data that are required to perform the assessments. A secondary data collection responsibility is to provide information for HMS that is necessary to routinely monitor and evaluate the conditions in the fisheries under federal management.

1 Similar data elements are required for most of the logbooks, although a few variables may be specific to one fishery or type of management technique controlling harvest.

a) Information such as name, signature, and address of operator and owner are used to identify the respondent and the legal entity controlling the fishing practices of the vessel. This latter requirement is essential in monitoring the compliance of the reporting requirement, where revocation of the operator permit or fines are involved. Because many vessels are owned by corporations, identification of owner and operator on the logbook form is necessary.

1b) Data on date of departure, date returned, days fished, duration of tows or sets, units of gear, and mesh size used are all designed 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. These data allow comparisons over time, area and gear type 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, especially if data on fishing effort are sufficiently detailed to adjust for changes in effort, can provide critical information on the status of the stock.

c) Area fished, loran bearing, depth of fishing, latitude and longitude are variables that are used to establish fishing locations. This information is related to other oceanographic and biological information to predict species availability and future abundance. For example, location of capture can be correlated to sea surface temperature measured by satellite to predict possible migration patterns. In addition, area or zone fished is used to cross reference locations where fishing is not permissible (such as closed areas).

d) Species information such as landings, discards, and sizes of fish is the basic measure of fishing success from which fishermen, biologists, and economists make inferences about the status of the fishery. Landings information is also needed because controlling the quantity of fish harvested is often the means for ensuring that stocks can be replenished over time.



1e) Name of buyer, dealer number, and port of landing are data used to cross reference the quantity of fish caught with the quantity that is handled (processed) by the market. The important cross reference is between the total amount of catch, and the respective sizes of individual fish. It would be impossible for fishermen to measure individual fish as they are being caught and stored on board the vessels. However, many species of fish, especially the large pelagics, are individually weighed by the dealers and these weights are recorded as part of the sales transactions. By knowing the dealer that purchased the fish, cross references can be made between data submitted by the dealers and the data from the logbooks. Combining the data in this manner provides greater precision on the CPUE estimates and more information on the sizes of catches by location and time.

f) Cost-earnings information has been and will continue to be used by various NMFS' economists, Regional Fishery Management Council staff, and state fishery agencies under contract to NMFS to develop, implement, and monitor fishery management strategies. These data will be used to assess community impacts, conduct cost-benefit analyses, and, in particular, develop regulatory impact analyses of proposed regulations as required by the RFA and suggested in NMFS' guidelines for economic analyses. Note that under the RFA definition, all fishing operations in HMS fisheries are defined as small entities.

The data elements collected on the cost-earnings trip summary form include variable trip costs (fuel, bait, ice, light sticks, groceries, etc.), total shared costs and total costs. The specific form and instructions to be used are attached.

1The data elements collected on the Annual Expenditures Form include fishing gear, repair and maintenance expenses, insurance, dockage, etc. The specific form and instructions to be used are attached.

Although the information collected is not expected to be disseminated directly to the public, it may be used in the development or review of fishery management plans, and is therefore subject to NOAA's Information Quality Guidelines. As explained in the preceding paragraphs, the information gathered has utility. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

Logbooks are mailed to permit holders annually. 1No improved information technology has been identified as a practical means for reducing the burden on the public. In the future, NMFS hopes to evaluate the use of electronic logbooks linked to vessel monitoring systems (VMS). Since the cost-earnings forms are a relatively small part of a larger data submission, there will be no change/improvement in the reporting process at this time.

#### **4. Describe efforts to identify duplication.**

1The Magnuson-Stevens Act operational guidelines require each FMP and regulatory amendment to evaluate existing state and federal laws that govern the fisheries in question, and the findings are made part of each FMP or regulatory amendment. Each Regional Fishery Management Council membership is comprised of state and federal officials responsible for resource management in their area. These evaluations enable NMFS to identify other collections that may be gathering the same or similar information. In addition, each FMP undergoes extensive public comment periods where potential applicants review the proposed information collection requirements. Therefore, NMFS is aware of all similar collections.

1Detailed information on CPUE, effort, and species composition by gear and area may be available from other sources. Some states have logbook programs to collect similar information as required in the federal HMS logbook. Anyone filling out state logbooks with similar data fields would not be required to complete and submit a federal logbook under this collection. The state logbook would suffice in lieu of the federal logbook, although a copy of the state logbook would need to be submitted to NMFS.

Likewise, selected respondents who indicate that they are participating in other federal logbook programs under other FMPs would be exempt from the requirements of this collection provided copies of the other logbook are submitted on a timely basis. The number of dolphin/wahoo permits in Table 1(Question 12) are vessels that do not hold a federal permit for another federal fishery; therefore these permit holders are not reporting in any other federal logbook.

1Some owners of tuna vessels selected for logbook coverage may participate in the bluefin tuna fishery. Bluefin tuna landings must be reported through the automated landings reporting system (ALRS) approved under OMB Control No. 0648-0328, thus there would be some duplication. However, the ALRS report is limited to landings of bluefin tuna while the logbook would collect information on fishing effort and catch of all species. Therefore, the level of duplication would be extremely small and is warranted due to the need to collect real-time harvest information for bluefin tuna.

Trip expense data is not being collected by another state or federal office for any gear group included in the HMS fishery. To the extent that vessels with HMS permits are reporting via other federal fisheries logbooks (e.g., NE Multispecies OMB Control No. 0648-0212) and cost-earnings information is collected, vessel operators will be relieved of the duplicative requirements.

The Atlantic Coastal Cooperative Statistics Program (ACCSP) is conducting a pilot program that will collect economic information from randomly selected commercial fishermen who have volunteered to be part of the study. This pilot study will collect fixed and variable cost information for fishing businesses. More information about the ACCSP can be found at <http://www.accsp.org>. This program currently does not focus on HMS fishermen, does not collect information on a per trip basis, and is done voluntarily. As described above, voluntarily given information is not adequate to conduct the analyses required under NEPA, E.O. 12866, or RFA.

1Individuals with an authorized exempted fishing permit are required to submit interim and annual reports for catches made while conducting the exempted activities. These catches must also be reported in the permit holder's logbook. This duplication in effort is necessary to monitor the exempted activities. The catches made while engaged in the exempted fishing activity must also be recorded in the logbook to accurately monitor the level of harvest for quota managed species.

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

1All of the applicants are considered small businesses; therefore, separate requirements based on size of business will not be developed. Individuals participating in other federal fisheries with similar logbook requirements are not required to submit two logbooks. Likewise, state logbooks with similar data fields would not be required to complete and submit a federal logbook under this collection. NMFS annually provides the permit holders with the HMS logbook at no additional cost. The burden to the permit holder is minimized by providing post-paid envelopes. The logbooks and cost earning forms are bound with carbon copies, so there are no photocopying costs associated with the record keeping requirements. The carbon copies allow the permit holder to keep a copy for their own financial records. Additionally, the individuals required to submit the cost-earning report are randomly selected; therefore, the same individuals may not need to submit the detailed cost-earnings information each year.

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

1The consequence of not having information on level of effort, gear type used, number and species of fish kept, and number and species of fish discarded is to increase the uncertainty involved in managing HMS fisheries and the inability to comply with domestic and international obligations.

The consequence of not having a core set of economic data at the trip level is to increase the uncertainty associated with how fishermen will respond behaviorally to changes in regulations, fishing conditions, and/or market conditions. Moreover, without this information, it is impossible to assess the economic impacts from a proposed regulation or to select the policy alternative that achieves a management goal at the lowest possible cost to the fisherman. To accurately capture fishermen behavior and assess economic impacts, it is necessary to have economic information at the trip level since fishing operations, choice of fishing grounds, gear modifications, and targeting and marketing strategies change over the course of the season due to changes in species abundance across fishing sites and market demand across seasons and regions. This is especially true for the HMS fisheries in which individual vessel activity may range throughout the Gulf of Mexico, Caribbean Sea, and off the Atlantic coast of Southeast, Mid-Atlantic, and New England states.

Another consequence of not having representative trip-level economic data could be judicial remand of conservation regulations challenged on grounds of inadequate analysis of economic impact to individual firms.

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

1The reporting regulations require selected vessels to complete logbooks within 48 hours of making a set (or a trip for single day trips) and to submit all forms, except the cost-earnings form, no later than the seventh day after the sale of the catch off-loaded from a trip. It is critical that these data be timely. For fisheries that are significantly overfished and therefore subject to catch quotas, it is important to monitor fishing mortality. Also, the re-issuance of permits is predicated on compliance with the reporting requirements, and timely data are needed to determine whether fishermen are complying on a regular basis. Quality control of the logbook data is improved when the review and verification process is as close as possible to the actual time that fishing occurred.

1The frequency of collection requirements for the cost-earnings form are the same under mandatory submission of the form as under the voluntary submission. It is necessary to collect this information more often than quarterly because trip-specific information is required and recall bias is a concern if the information is recorded long after the trip. The information requested is readily available at the end of each trip after the vessel is offloaded and settlement with the fish dealer is completed. Thus, selected fishermen will be required to submit the cost-earnings form 30 days after the catch is off-loaded from a trip. For information that is not readily available at the end of each trip, fishermen will be asked to submit an Annual Expenditures Form.

**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 May 4 (76 FR 25306) solicited public comment.

NMFS received a comment that the HMS logbooks and cost-earning reports are important to effectively manage HMS, dolphin, and wahoo because they inform stock assessments and provide valuable information about interactions between these fisheries and protected species. Continued collection of such data will facilitate sound, science-based management of fish stocks and ecosystems.

Response: NMFS agrees that this program is an important part of informing effective management of the HMS, dolphin, and wahoo fisheries. Catch and effort data are vital to monitoring fish stocks and for informing stock assessments. Furthermore, these data will help NMFS meet its requirements under the Marine Mammal Protection Act and the Endangered Species Act. If reports of interactions with protected resources are common, NMFS can proceed to minimize the impact of such fisheries through the promulgation of regulations.

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

1There are no payments or other remunerations to respondents.

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

1All data that are submitted to the NMFS will be treated in accordance with [NOAA Administrative Order 216-100, Confidential Fisheries Statistics](#). It is Agency policy not to release confidential data, other than in aggregate form, as the Magnuson-Stevens Act protects (in perpetuity) the confidentiality of those submitting data. Whenever data are requested, the Agency ensures that information identifying the pecuniary business activity of a particular vessel is not identified.

**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.**

1No questions of a sensitive nature will be asked.

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

1Previously, 8,949 hours had been approved for the cost-earnings summary, and 20,510 hours had been approved for the catch reports of the HMS Vessel Logbook, a mandatory information collection, based on the expected number of permit holders. The estimated number of respondents covered under this submission has increased slightly since the last submission due to the increase in the number of permit holders. The number of Atlantic Tunas permit holders has increased from 24,500 to 28,614, and the HMS Charter/Headboat permit holders increased from 3,941 to 4,174. The number of shark and swordfish permit holders decreased from 527 to 469 and from 340 to 324, respectively. All swordfish permit holders are also required to hold a shark permit; however, they would only be required to complete the forms once per trip. The number of dolphin/wahoo commercial and charter/headboat permits not reporting under any other federal permit, increased substantially from 193 to 2,388.

1The estimated time to complete the cost-earnings data reports continues to be 30 minutes as was submitted previously for the last renewal of OMB Control No. 0648-0371. For some sectors, predominantly swordfish, tuna, and shark longline fishermen, the reporting burden estimate may be as high as 30 minutes per response. In other sectors, however, the reporting burden estimate could be significantly less. In the recreational Atlantic tunas fishery, for example, the burden is estimated at 10 minutes per trip because there is no labor information to be reported. Likewise, the estimated time to complete this form in the HMS charter/headboat fishery is estimated at 15 minutes because labor is typically salaried. However, because it is difficult to separate out those fishermen who use longlines and target tunas, swordfish, or sharks, NMFS submits a reporting burden estimate of **30 minutes for all fishermen**<sup>1</sup>. At a maximum, it should take 30 minutes to

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<sup>1</sup>Some permits are issued by species, not by gear type. That is, a swordfish permit holder may be a longline fisherman, rod and reel fisherman, or harpoon fisherman. There is a similar situation for shark permit holders, whereas tuna fishermen are issued permits by gear type.

complete the cost-earnings data trip summary report. The annual number of trip summary reports and no fishing reports expected from each respondent was calculated during the previous renewal of this PRA through an analysis of average number of trips per permit in each fishery (see Table 1 for the expected number of trip summary reports with catch, trip summary reports without catch, and no-fishing reports). This estimate remains unchanged. Although the number of respondents has changed, fishing behaviors, including annual number of trips per fisherman, is unlikely to have changed.

1NMFS will collect the cost-earnings data from a random selection of approximately 20 percent of the shark, swordfish, and charter/headboat fleet and 10 percent of the Atlantic Tuna and HMS Angling permit holders who were selected to report in the catch report forms. This random selection of fishermen will be stratified across all statistical areas and based on information provided when renewing permits and reporting during the previous year in logbooks. In other words, fishermen who were not active or did not have an HMS permit in the previous year would not be selected to report on the cost-earnings and annual expenditure forms.

1We also propose to collect information annually about expenditures made infrequently throughout the year or only once per year from fishermen who were selected for the cost-earnings reports. Fishermen will be required to submit the annual form by April 15 of the following calendar year so that they can use their accounting records organized during the preparation of their income tax returns. Our estimated time of 30 minutes to complete the annual form was based on the presumption that fishermen would already have organized their expenses for end-of-year tax purposes.

1The number of respondents, the estimated number of responses, the time per response and the total burden estimate for completing the additional economic questions on the trip and annual reporting forms are shown in Table 1. The estimates below are based on recently available permit holder information. The difference in estimated burden hours from those previously approved to those proposed here is outlined in Table 2.

We request an increase of 505 hours (from 8,949 hours previously approved to 9,454 hours) for the cost-earnings and annual expenditure burden estimate and an increase of 6,225 hours (from 20,510 hours previously approved to 26,735 hours) for the catch report portion. Net increases are: 1) 2,765 respondents and a **revised total of 10,216** (the total of each set of permit holders, not truly unduplicated, as some fishermen have more than one permit); 2) 44,440 responses and a **revised total of 189,557 responses**; 3) 6,728 hours and a **revised total of 36,189 hours, rounded down to 36,186 in ROCIS** (Table 1). The increased burden estimate is reflective of the increases in HMS and dolphin/wahoo permits, specifically Atlantic Tunas permit and HMS charter/headboat permits, and an increase in dolphin/wahoo commercial and charter headboat permits. The estimated burden hours by gear group are provided below. The estimated number of trips is based upon past activity by each gear group.

For the purposes of this burden estimate, it is assumed that the HMS logbook will be completed on all of the trips selected, which is a higher response rate than is likely to occur because of limited instances of non-compliance. Note that some charter/headboats and shark vessels have the option of completing a regional logbook in lieu of the HMS logbook to the extent that their

participation in these fisheries also requires a logbook submission. Additionally, some charter/headboat permit holders also hold a shark or swordfish permit and some shark permit holders hold a swordfish permit. Thus, estimates for charter/headboat and shark burden hours can be considered a maximum.

**1Table 1. Summary of reporting requirements and estimated reporting burden estimates for respondents in HMS fisheries and Dolphin/Wahoo only permit holders (response totals non-italicized, hour totals italicized).**

1	Fishery					Total
	Tunas	Sharks	Swordfish	HMS Charter/Headboats	Dolphin/Wahoo - commercial & CHB	
Number of permit holders	28,614	469	324	4,174	2,388	<b>35,969</b>
Selection for logbooks	10%	100%	100%	100%	100%	<b>10,216</b>
# of Respondents	2,861	469	324	4,174	2,388	
# of Trip Summary Reports w/Catch	28,610	4,690	6,480	62,610	23,880	<b>126,270</b>
	2,861 @ 10 trips/yr	469 @ 10 trips /yr	324 @ 20 trips/yr	4,174 @ 15 trips/yr	2,388 @ 10 trips/yr	
<i>+ Burden hours @ 12min/ trip summary report</i>	<i>5,722</i>	<i>938</i>	<i>1,296</i>	<i>12,522</i>	<i>4,776</i>	<b><i>25,254</i></b>
# Reports w/o Catch	5,722	NA	NA	20,870	NA	<b>26,592</b>
	2,861 @ 2 trips/yr			4,174 @ 5 trips/yr		
No-Fishing Reports (monthly)	NA	2,814	648	NA	14,328	<b>17,790</b>
		469 @ 6 months/yr	324 @ 2 months/yr		2,388 @ 6 months/yr	
<i>Burden hours @ 2 min/no catch or no fishing report</i>	<i>191</i>	<i>94</i>	<i>22</i>	<i>696</i>	<i>478</i>	<b><i>1,481</i></b>
Selection for cost-earnings data trip reports and annual expenditures form	10% of those selected for logbooks	20%	20%	20%	NA	
# of Respondents	286	94	65	835		<b>1,280</b>
# of Cost-earnings data Trip Reports	2,860	940	1,300	12,525	NA	<b>17,625</b>
	286 @ 10 trips/yr	94 @ 10 trips/yr	65 @ 20 trips/yr	835 @ 15 trips/yr		
<i>Burden hours @ 30 min/cost-earnings trip report</i>	<i>1,430</i>	<i>470</i>	<i>650</i>	<i>6,263</i>	<i>NA</i>	<b><i>8,813</i></b>

1	Fishery					Total
	Tunas	Sharks	Swordfish	HMS Charter/ Headboats	Dolphin/ Wahoo - commercial & CHB	
# of Annual Expenditures Forms	286	94	65	835	NA	<b>1,280</b>
<i>Burden hours @ 30 min/annual expenditures form</i>	143	47	33	418	NA	<b>641</b>
Total burden hours for Catch reports, including no catch or no fishing reports	5,913	1,032	1,318	13,218	5,254	<b>26,735</b>
Total burden hours for Cost-earnings and annual expenditures forms	1,573	517	683	6,681	NA	<b>9,454</b>
<b>Total burden hours for Logbook Collection</b>	<b>7,486</b>	<b>1,549</b>	<b>2,001</b>	<b>19,899</b>	<b>5,254</b>	<b>36,189</b>

**1Table 2. The difference in previously approved burden estimates and current burden estimates.**

1	Estimated Burden Hours
Revised burden hours for cost-earnings data reports	9,454
Revised burden hours for catch report forms	26,735
Total:	<b>36,189</b>
Previously approved burden hours for cost-earnings data reports	8,949
Previously approved burden hours for catch report forms	20,510
Total:	<b>29,459</b>
<b>Net Increase</b>	<b>6,730</b>

**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).**

1Currently, all forms are provided to fishermen with pre-addressed postage paid envelopes. While NMFS intends to continue to provide postage-paid envelopes, it is possible that NMFS may discontinue paying postage in the future due to funding or other constraints. Additionally, while NMFS provides postage-paid envelopes, it is possible that respondents could run out of envelopes or lose the envelopes and pay for postage on their own. Thus, for the purpose of this submission, it is assumed that all postage costs will be paid by the respondents. Previously, NMFS estimated that the cost of postage for all respondents would be \$72,559 (assuming an average cost of 50 cents for 145,117 reports). Due to adjustments in the number of permit holders, the estimated number of reports has increased to 189,557. Assuming an average of 50 cents for postage, this results in a total estimated cost of postage of **\$94,779**, an increase of \$22,220.



The logbook and cost-earnings forms are bound with carbon copies so there are no photocopy costs associated with the recordkeeping requirement for those forms. As the annual expenditures form is not carbon copied, there could be a minor cost of 10 cents to copy the form. The previous annual cost incurred for the annual expenditures form was \$121. Due to the slight increase in the number of permit holders, the copying cost for the annual expenditures form has increased only marginally to **\$129**. Including the cost of postage and copies of the annual expenditures forms, this results in a **total annual cost for the entire program of \$94,907** (postage and copies); an increase of \$22,228.

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

1Cost to the federal government was previously estimated to be \$185,000 per year including printing costs, labor for sight review and data entry, form development, and program management costs. Due to increases in these costs, the new estimate of the cost to the federal government is \$450,165. Salaries have increased from \$167,000 to \$402,749 per year, and printing, mailing and data entry have increased from \$18,000 to \$47,416 per year. Total cost to the federal government is now estimated to be \$450,165 (\$402,749 + \$47,416).

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

**1NMFS proposes a total adjustment of 6,730 hours to the total net annual burden hours (rounded down in ROCIS to 6,727).** The increase in burden hours is attributed to the increased number of permit holders. The total number of permit holders increased from 29,501 to 35,969. The largest increase occurred with the dolphin/wahoo commercial and charter/headboat permits (only including permit holders that do not hold an HMS permit), increasing by 2,195 permits (193 to 2,388).

Previously, NMFS estimated 127,220 reports for the logbook forms. Based on new estimates of the number of permit holders, NMFS now estimates the number of reports for logbook forms to be 170,652, for an **increase of 43,432 reports and 6,225 hours**. There is also a cost adjustment for the logbook forms of \$21,716 (43,432 reports times \$0.50 for postage). Previously, NMFS estimated 16,690 cost-earnings reports. Based on new estimates of the number of permit holders, NMFS now estimates the submission of 17,625 cost-earnings reports, for an **increase of 935 reports and 468 hours**. There is a cost adjustment for the cost-earnings forms of \$467.75 (935 reports times \$0.50 for postage).

Additionally, NMFS previously estimated the submission of 1,207 annual expenditure forms. With the increased number of permit holders, NMFS now estimates 1,280 annual expenditure forms, for an **increase of 73 reports and 37 hours**. There is also a cost adjustment of \$43.80 (73 more reports times \$0.50 for postage; plus 73 more reports times \$0.10 for photocopying).

**The total cost adjustment is \$22,228** (\$21,716 + \$467.75 + \$43.80).

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

1The results from this collection are not planned for statistical publication but will be used as empirical input for analyses conducted for management and scientific purposes. Data would be released to the public only in summary or tabular form.

**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.**

1Not Applicable.

**18. Explain each exception to the certification statement.**

1Not Applicable.