

**SUPPORTING STATEMENT
NORTHWEST REGION GEAR IDENTIFICATION REQUIREMENTS
OMB CONTROL NO: 0648-0352**

A. JUSTIFICATION

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

This submission requests revision and extension of Office of Management and Budget (OMB) approval for gear-marking requirements in the Pacific Coast Groundfish Fishery.

Gear identification requirements are necessary to help ensure the success of fisheries management programs by facilitating fisheries law enforcement efforts. Gear marking is also valuable in actions concerning gear damage, loss, and civil proceedings. The ability to link fishing gear to the vessel owner or operator is crucial to enforcement of regulations issued under the authority of the [Magnuson Fishery Conservation and Management Act](#). Fixed-gear marking requirements are set forth in the regulations implementing the Pacific Coast Groundfish Fisheries Management Plan at 50 CFR [660.219](#) and [660.319](#). Gear-marking requirements specify that each type of fixed-gear must be marked with the owner's identifying number.

This request is a revision because revised individual fishing quota (IFQ) trawl fishery regulations at 50 CFR 660.140, per Final Rule 0648-AY68 ([75 FR 78344](#)) allow trawl allocation to be harvested with fixed gears. This change adds burden, as explained in Question 15.

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 regulations specify that fishing gear must be marked with the vessel's official number, federal permit or tag number, or some other specified form of identification. Law enforcement personnel rely on this information to assure compliance with fisheries management regulations. Gear that is not properly identified is considered a violation of Federal regulations and is confiscated. The identifying marks on fishing gear is used by the National Marine Fisheries Service (NMFS), United States Coast Guard (USCG), and other marine agencies in issuing violations, prosecutions, and other enforcement actions. Gear marking also helps ensure that a vessel harvests fish only from its own traps/pots/other gear and that traps/pots/other gears are not illegally placed. Properly marked fishing gear facilitates prosecution of gear violations, and enhances cost-effective enforcement. Cooperating fishers also use the gear markings to report placement or occurrence of gear in unauthorized areas. Regulation-compliant fishermen ultimately benefit, as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

The information collected will not be disseminated to the public; as it consists solely of identification on gear, it is not submitted to NMFS.

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 requirement that fixed gear be marked with an identifying number does not lend itself to technology.

4. Describe efforts to identify duplication.

Existing Federal and State requirements have been reviewed to ensure that there is no duplication of requirements.

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

Although nearly all vessels in the respective fisheries are categorized as small businesses, the collection of information will not have a significant economic impact or burden on small businesses in terms of time and resources. Therefore, no special modifications of the requirements were considered necessary.

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

The NMFS and USCG would not be able to enforce the fishery management measures if the collection is not conducted or is conducted less frequently. The numbers must periodically be maintained to remain legible.

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

This collection is consistent with the OMB guidelines.

8. Provide a copy of 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 August 12, 2011 (76 FR 50180) solicited public comment. No comments were received.

Consultation outside the agency is assured by the Pacific Coast Groundfish regulatory process, set forth in the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations (Pacific Coast Groundfish Fishery Management Plan and 50 CFR 660, Subpart G).

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

No payments or gifts are provided to respondents.

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

There is no assurance of confidentiality, as this is public information.

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 is no information of a sensitive nature in this collection.

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

The estimated total number of vessels affected is 946. There are three types of groundfish vessels, which use the types of gear (longline, trap or pot, set net and stationary hook-and-line gear, including commercial vertical hook-and-line gear) that must be marked. Each vessel had a unique number of markings required because of variation in the gear. Estimating the total number of marks in the fleet as 15,190 and 15 minutes per marking, the burden is estimated to be 3,798 hours (please refer to Table 1 for details).

Labor costs in the fishing industry are estimated at \$15 per hour (www.workforceexplorer.com). Fifteen dollars per hour multiplied by 3,798 burden hours equals approximately \$56,970.

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

The materials needed are paint and a paintbrush, or permanent ink applicator, and possibly a stencil. With most traps or pots, marking is done by means of a commercially available plastic tag that is fastened to the trap/pot by thin strands of wire and this tag number identifies the owner of the trap/pot. The total number of marks in the fleet is estimated at 15,190 (please refer to Table 1 for details), and the average cost per marking is approximately \$0.25. Therefore, the total annual cost burden is \$3,798.

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

There would be no Federal cost associated with this collection because marking verification would be included as part of other enforcement actions and no information is received to process.

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

Program change: Revised individual fishing quota (IFQ) trawl fishery regulations at 50 CFR 660.140, per Final Rule 0648-AY68 ([75 FR 78344](https://www.federalregister.gov/doc/2016/07/27/75-fr-78344)) allow trawl allocation to be harvested with

fixed gears. **Thus, 20 of the limited entry vessels would have up to a total of 400 additional pieces of gear to mark, adding 100 hours and \$100.**

Adjustments:

Open access fishery values were updated to reflect most recent participation levels: an increase of 286 vessels, from 409 to 695, increasing markings from 4,617 to 10,490 (difference of 5,873), hours from 1,154 to 2,623 (difference of 1,469) and costs from \$1,154 to \$2,263 (same difference).

Limited entry longline permits can be stacked and unstacked at the permit owner's discretion. The numbers were revised to reflect the largest number of markings, should all permits be unstacked (that is, all longline permits in use). This adjustment added 1,740 markings, 435 hours and \$435 for the existing 199 permits (from 2,240 to 3,980 markings, from 560 to 995 hours and from \$560 to \$995).

Additional minor adjustments added 50 markings, 12 hours and \$12.

Total changes due to adjustments: a total of 7,663 markings was added, with a burden of 1,916 hours, at a cost of \$1,916.

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

No results are published.

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.

There are no exceptions to the certification statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

Table 1. Estimates for Fixed-Gear Marking Burden in the Pacific Coast Groundfish Fishery

2011	OPEN ACCESS				LIMITED ENTRY			TOTAL FLEET ***
	Longline	Vertical Hook & Line	Pot **	Set Net	Longline	Pot	IFQ gear switching	****
Number of Vessels	400	80	200	15	199	32	20	946
Number or Strings *	10	5	5	3	10	5	10	
Number of Buoys per String	2	1	2	2	2	2	2	
Number of Markings per Vessel	20	5	10	6	20	10	20	
Total Annual Number of Markings per Fleet	8,000	400	2,000	90	3,980	320	400	15,190
Total Annual Burden Hours @ 0.25 hrs per Marking	2,000	100	500	23	995	80	100	3,798
Material Costs @ \$0.25 per Marking	\$2,000	\$100	\$500	\$23	\$995	\$80	\$100	\$3,798
Labor Cost @ \$15/hrs	\$30,000	\$1,500	\$7,500	\$345	\$14,925	\$1,200	\$1,500	\$56,970

* Best estimates.

** Assumes a string of pots is set by smaller open access vessels, though pots may also be individually set.

*** Assumes all are small businesses

**** As some vessels may participate in both limited entry and open access, the burden may be slightly overestimated.