

**SUPPORTING STATEMENT  
PACIFIC ISLANDS REGION SEABIRD-FISHERIES INTERACTION REPORTING  
OMB CONTROL NO. 0648-0456**

This request is for extension of a current information collection.

**A. JUSTIFICATION**

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

Under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#), 16 U.S.C. 1801 *et seq.* (Magnuson-Stevens Act), Federal regulations have been promulgated to reduce the incidental catch of seabirds in the Hawaii pelagic longline fishery. Three of the measures pertain to reporting requirements triggered by an incidental take of a short-tailed albatross by a Hawaii-based longline fishing vessel (Hawaii longliners). This collection is one of the terms and conditions contained in the biological opinion (BiOp)<sup>1</sup>, issued by the United States (U.S.) Fish and Wildlife Service (FWS), under the authority of the Endangered Species Act of 1973, as amended, for the effects of the Hawaii longline fishing fleet on the endangered short-tailed albatross (*Phoebastria albatrus*).

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

If a short-tailed albatross is hooked or entangled by a Hawaii longliner, Federal regulations at [50 CFR 665.815](#) require that the injured (or dead) albatross be brought on board the vessel. Furthermore, the captain must then: (a) contact National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS), the United States Coast Guard (USCG), or the FWS immediately, and (b) complete a short-tailed albatross recovery data form. If the retrieved albatross is dead, the captain (c) must attach information tags to the carcass and specimen bag (these are not specific tags or bags, simply whatever the fisherman has at hand, that will work for this purpose).

Immediate notification of an injured short-tailed albatross having been brought on board enables NMFS, USCG, or FWS to arrange for ship-to-shore communication between a veterinarian and the vessel operator. The information provided by the vessel captain from the short-tailed albatross recovery data form provides the veterinarian with a report on the condition of the injured albatross. The information also serves as a record for FWS.

When a dead short-tailed albatross is brought on board the vessel, immediate notification to NMFS and FWS allows the agencies to coordinate and arrange for disposition and study of the specimen following the vessel's return to port. In readying a dead short-tailed albatross for delivery to FWS, it is important that the vessel captain attach an identification tag to the carcass and specimen bag with key information such as species name, location and date of mortality, and band number (if available).

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<sup>1</sup> "Biological Opinion on the Effects of the Hawaiian Longline Fishery on the Short-tailed Albatross (*Phoebastria albatrus*) [FWS 1-2-1999-F-02R], revised November 18, 2002 and [supplemented October 8, 2004.](#)"

Over a span of 60 plus years that short-tailed albatrosses have been observed around the Hawaiian Islands, there has never been a report or observation of a short-tailed albatross taken by a Hawaii longliner. Although it is unlikely that a short-tailed albatross will be taken in the Hawaii longline fishery, this collection is established as a preparatory procedure required under the BiOp. Estimates of the burden to fishermen are based on the October, 2004 BiOp's estimated take of 1 short-tailed albatross per year.

As explained in the preceding paragraphs, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response 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. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications. Should NMFS decide to disseminate the information, it will be subject to the quality control measures and 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.**

NMFS continues to investigate information technology advances that would simplify the collection and reduce its burden on fishermen. Most communications between a Hawaii longliner at sea and NMFS are through the telephone (i.e., marine operator), a single side-band radio, or, when an observer is onboard, through a satellite telephone (SAT phone). Some of the Hawaii longliners are capable of communications through a vessel monitoring system unit (VMS); however, the majority of longliners do not have on-board computers associated with VMS for messaging ship-to-shore. VMS communication will probably be the quickest and most effective way to transmit information elements in the future, when more vessels become equipped with the technology to do so. However, currently, this information will be transmitted non-electronically.

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

NMFS carefully considered whether there were other collections by FWS or other Federal agencies that might meet the information needs presented above. It was concluded that no other collections would meet the at-sea notification, recovery data collection, or specimen identification requirements contained in the BiOp.

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

All of the vessels in the Hawaii-based longline fishery are small business entities of similar sizes and are affected comparably. No special measures are needed to accommodate different sized businesses. Only a minimum amount of data, as required by the terms and conditions of the BiOp, are collected through this program.

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

If this information is not conducted, NMFS will not be in compliance with the BiOp. Also, without this collection, the ability of NMFS and FWS to effectively respond to any potential take of a short-tailed albatross in the Hawaii longline fishery would be compromised.

**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, except that its frequency may exceed the minimum quarterly reporting schedule. This is because the collection is varied and unscheduled; its implementation requires immediate action and use of the information.

**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.**

NOAA published a [Federal Register](#) Notice eliciting comments on the renewal of this collection on September 16, 2011 (76 FR 57715). NOAA received three written comments and two phone calls. The phone calls and one letter expressed concern that NMFS was proposing to discontinue the collection and requested NMFS to continue the collection. Two letters expressed support for continuing the collection. The Pacific Region Office responded to the comments.

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

No payments or gifts are involved in this collection.

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

As stated on the recovery data form, data provided concerning the vessel operators are handled as confidential under Section 402b of the Magnuson-Stevens Act and [NOAA Administrative Order 216-100](#). Personal and propriety information is not released to the public.

**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 in this data collection.

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

Annual burden for complete response:

(a) At-sea notification: 1 vessel x 1 notification/year x 60 min/notification = 1 hour

(b) Reports: 1 vessel x 1 report/year x 60 min/report = 1 hour

(c) Specimen Tag: 1 vessel x 1 identification tags/year x 60 min/tag = 1 hour

Total = 3 hours

Estimated annual respondents: 1; responses, 1; hours, 3. The number of respondents is based on an estimated accidental take of a total of one short-tailed albatross annually in the Hawaii-based longline fishery. The take level is consistent with the October 2004 supplement to the Biological Opinion issued by FWS on the effects of the fishery on the short-tailed albatross.

The total annual labor cost to respondents is estimated at \$75 per year. This was derived by multiplying the number of hours of burden each year (3 hours) times an hourly cost rate of \$25, the estimated hourly wage rate for a vessel captain.

**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 is no “start-up” capital cost for complying with this requirement. The estimated total annual cost to respondents is \$80 (1 respondent x \$80/year) – primarily ship-to shore communication cost but also including mailing or faxing forms.

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

The estimated annual cost to the Federal government to administer this collection is \$100 per year, which includes the cost for printing the short-tailed albatross recovery forms and specimen identification tags, and the cost of staff time for receiving/transmitting the data forms to FWS.

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

Not Applicable.

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

No formal scientific publications based on these collections are planned at this time. The data will be used for fisheries management and protected species reports, FMP amendments, and evaluations by NMFS, FWS, and the Council. However, subsequent use of the data collected over the next few years may include scientific papers and publications.

**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.

## **B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.