

**SUPPORTING STATEMENT
PACIFIC ISLANDS REGION LOGBOOK FAMILY OF FORMS
OMB CONTROL NO. 0648-0214**

INTRODUCTION

This Supporting Statement describes a revision and extension of the existing information collection under OMB Control No. 0648-0214.

A. JUSTIFICATION

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

The Magnuson-Stevens Fishery Conservation and Management Act established the Western Pacific Fishery Management Council (Council), to develop fishery ecosystem plans (FEP) for fisheries in the United States (U.S.) exclusive economic zone (EEZ) in the central and western Pacific. These plans, if approved by the Secretary of Commerce, are implemented in Federal regulations by National Marine Fisheries Service (NMFS) and enforced by the National Oceanic and Atmospheric Administration (NOAA) Office of Law Enforcement (OLE) and United States Coast Guard (USCG), in cooperation with state and territorial agencies. FEPs regulate fishing to prevent overfishing and to ensure the long-term productivity and social and economic benefit of the resources for the United States (U.S.) Regulations implementing these plans are at [50 CFR 665](#).

NMFS has jurisdiction over fisheries in Federal waters of the Pacific Ocean seaward of American Samoa, Guam, Hawaii, the Northern Mariana Islands (NMI), and the Pacific Remote Island Areas (PRIA)¹. The Council prepares, and the Secretary approves and implements through regulations, FEPs for the American Samoa, Hawaii, and Mariana Islands (Guam and NMI) archipelagos, PRIA, and pelagic fisheries in the western Pacific. Each of these FEP contains requirements that commercial fishery participants submit Federal logbooks for federally managed fisheries in their area.

The reporting requirements are crucial to ensure that NMFS will be able to monitor the fishery and have fishery-dependent information to evaluate the effectiveness of management measures, determine whether changes in fishery management programs are necessary, and estimate the impacts and implications of alternative management measures. This submission addresses information needed on actual fishing activities to determine how different participants might be affected and how stocks and other living marine resources might be affected by changes in regulations governing the fishery. In the case of lobster permits, removal of traps is required to ensure no entanglement with protected species, such as monk seals.

Specific reporting requirements for the individual fisheries identified with the relevant section of

¹Howland, Baker, Jarvis, Wake and Palmyra Islands, Johnston Atoll, Midway Atoll, and Kingman Reef.

50 CFR 665 are as follows:

Pelagics (Longline only)	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§665.14(b)) - Transshipment logbooks (§665.14(c)) - Dealer records (no form) (§665.14(g)) - Protected species zone entry/exit notification (no form) (§665.803(d)) - Claim for reimbursement for lost fishing time (no form) (§665.808(i))
Pelagic (Troll and handline)	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§665.14(b))
Crustaceans	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§665.14(b)) - Sales report (§665.14(d)) - Dealer packing/weigh-out slips; records (no form) (§665.14(e); §665.14(g)) - §665.444(a)(1); §665.644(a)(1) - §665.444(a)(2); §665.644(a)(2) - At-sea catch report (no form) (§665.252(c))
Bottomfish/Seamount Groundfish	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§665.14(b)) - Sales report (§665.14(d)) - Dealer records (no form) (§665.14(g))
Precious Corals	<ul style="list-style-type: none"> - Logbooks: catch and effort data (§665.14(b)) - Sales report (in logbook) (§665.14(b))
Experimental Fishing Permits	<ul style="list-style-type: none"> - Experimental fishing reports (no form) (§665.17(e)(4)(vi))

As indicated, these data are needed to monitor the fisheries, determine whether the current management measures are having the intended affects, and evaluate the benefits and costs of changes in management measures.

Logbooks (bottomfish, crustacean, pelagic longline, pelagic troll or handline, and precious corals) in the western Pacific are required to obtain catch and effort information. These data are especially needed for determining the condition of the stocks. Drastic changes in catch per unit effort (CPUE) are often indicative of significant shifts in the size and structure of the stock and suggest that changes in management measures may be appropriate to respond to declines or increases in stock sizes.

Sales and transshipment reports (bottomfish, crustacean, pelagic longline, precious corals) are used to ensure full reporting of all landings and sales of fish from the management unit. The sales report portion of the precious corals logbook provides the basis of understanding the economic value associated with the fishery, which is needed to evaluate the magnitude and distribution of impacts from changes in management regulations.

Reports on protected species interactions (pelagics, crustaceans, bottomfish) are required to ensure adequate information on the extent to which there are any direct impacts of the fishery on the protected species.

The requirement to report lobster traps left at sea is intended to monitor the impacts of and, when possible, to ensure quick removal of gear that could adversely impact protected species. Although there have been no reports of Hawaiian monk seals interacting with traps, there is still a potential for entanglement while seals are foraging for food.

Experimental fishing permits (EFPs) are available to all western Pacific fisheries to allow fishing using gear, techniques, or strategies that are otherwise prohibited under the respective fishery management plans. These permits may allow fishermen to experiment with new gear and techniques that might increase catch per unit effort and reduce the catch of incidental species. They also allow fishermen to engage in data collection activities during a closed season in support of NMFS fishery research and management programs or to achieve other desirable objectives. The FEPs require that there be reports of the results of fishing under the EFPs so that there will be a basis for determining whether to change the regulations to allow the new gear or techniques in the fishery. The reports are needed to establish whether the objectives of granting the EFP were achieved.

In rare situations, a longline or bottomfish vessel operator or owner may incur lost fishing time due to observer injury or illness. If so, the operator or owner may file a claim for compensation based on information about average catches per day at sea the previous two years and current fish prices. While no such claims are expected, the estimate of burdens includes the estimated paperwork associated with one claim per year as a worst case scenario.

Pre-trip notifications are required for the Hawaii and American Samoa longline fisheries to determine whether vessels should be required to carry observers to collect detailed information on the fishery, including total catch and discards, interactions with protected resources, and biological characteristics of the catch. Observers are able to collect more detailed information than could be expected of fishermen. In cases where an observer placement is needed, this collection also provides time for a pre-trip meeting between the vessel operator and NMFS staff to arrange the observer placement. This meeting ensures that the vessel operator and the observer have common information concerning the roles and responsibilities of the operator, crew, and observer during the trip. Pre-trip notices from vessels also may provide a basis for targeting enforcement efforts to determine compliance with management measures. *The notices and meetings are now covered under OMB Control No. 0648-0593, Observer Programs' Information That Can Be Gathered Only Through Questions, approved by OMB in 2009. Thus, the burdens and costs for these collections have been removed from this information collection.*

In addition, Commonwealth of the Northern Mariana Islands Commercial Bottomfish information collections are now covered under OMB Control No. 0648-0584, Permitting and

Vessel Identification Requirements for the Commercial Bottomfish Fishery in the Commonwealth of the Northern Mariana Islands, approved in 2009.

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.

On a broad level, the reporting requirements provide the information needed by NMFS to regulate and monitor the fisheries managed under the FEPs and to evaluate the effectiveness of management by assessing the status of stocks and the status of the fisheries. The information provides a basis for determining whether changes in management are needed to sustain the productivity of the stocks or to address economic problems in the fishery. The information is also used to provide the basis for evaluating the magnitude and distribution of impacts resulting from changes to the regulations. Without the information, NMFS would be unable to determine whether management is achieving the objectives of the FEPs and preventing overfishing, the principal requirement of the Magnuson-Stevens Act.

Information from mandated logbooks, sales reports and, if necessary, packing/weigh-out slips, is used to determine specific changes in fishery patterns, such as seasonal shifts and areas which are more important than others to the stocks or to the fishermen. Information from the logbooks, as well as ancillary dealer records, is used by enforcement agents of NMFS, state or territory, and USCG to monitor compliance with fishing regulations and reporting requirements. Information from pre-trip reports is used by NMFS to determine whether to place observers on selected vessels to obtain detailed information on fishing practices (including interactions with protected species) and the characteristics of the catch.

Other users and uses of information under this collection include required documentation submitted by longline vessel operators or owners to receive compensation from NMFS for lost fishing time due to serious injury or illness of a NMFS observer and notification by lobster boats of traps being stored at sea due to emergency situation and allowing NMFS to monitor for potential adverse impacts to protected species and the ecosystem.

Reports provided by fishermen as required under the experimental fishing program allow NMFS to use and disseminate the results of prohibited fishing activities which, when conducted under the NMFS-specified controlled conditions, can yield much needed information on the resources and fisheries.

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 the burden. However, none of the collection elements that comprise this overall proposal is especially difficult or burdensome. In the meantime, electronic reporting is being refined in order to provide a strong basis for its adoption universally by all participants. Logbook data are currently entered daily on forms provided by NMFS to prevent data quality problems from faulty recall. Pre-trip notifications are easily made by telephone, as are pre-landing/off-loading notifications.

4. Describe efforts to identify duplication.

NMFS carefully considered whether there were collections by other Federal agencies or state or territorial agencies that might meet the information needs presented above. It was concluded that no other collections, besides the requested collecting information, would meet these reporting requirements.

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 federally-managed fisheries in the western Pacific region are small business entities of similar sizes and are affected comparably. No special measures are needed to accommodate different sized businesses.

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

Without this collection or if it is conducted less frequently, NMFS and the WPFMC will be unable to make management decisions effectively and in a timely manner. In turn, the long-term economic health of the fisheries may 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 OMB guidelines, except that the frequency of the collections exceed the minimum quarterly reporting schedule and in most cases the collections require a response time of less than 30 days. The reporting frequency and response time for fishery-dependent data vary with specific reporting requirements. Daily logbooks were deemed most appropriate for detailed catch and effort data needed to assess the status of the stocks and the impacts of the fishery on the stocks, as well as the impact of regulations on the fisheries. EFP

reports would be on an event basis. Transshipment reports would be required only for days when such activity occurs. Collecting data less frequently would diminish NMFS' and the WPFMC's ability to make timely management decisions.

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 September 23, 2011 (76 FR 59113) solicited comments on this information collection. No comments were received.

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 forms, under Section 402b of the Magnuson-Stevens Act and NOAA Administrative Order 216-100, information submitted in accordance with regulatory requirements under the Act is confidential. This includes personal and proprietary information contained in the logbooks.

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 are asked.

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

There are 280 estimated respondents in the collection (226 longline permit holders, 10 PRIA troll and handline, 10 crustacean, 30 bottomfish, 3 precious coral and 1 experimental fishing permit holder). The estimated total number of burden hours is 14,867. The estimated number of responses per year is 26,029, for logbooks, protected species interaction reports, sales and transshipment reports, reports of gear left at sea, lost fishing time reports, area closure request forms, experimental fishing reports, and pre-trip and post-landing notices.

Report Type	Estimated Respondents	Estimated Responses	Time per Response	Estimated Burden Hours
PELAGIC:				
Longline logbooks	226	25,000	35 minutes	14,583
Transshipment logbooks	20	50	5 minutes	4
Protected Species Zone entry/exit	50	400	5 minutes	33
Claim for lost fishing time	5	10	6 minutes	1
PRIA Troll and Handline	10	60	5 minutes	5
CRUSTACEAN:				
Logbooks	10	50	30 minutes	29
Sales Report	10	50	30 minutes	29
Landing/offloading notices	10	50	2 minutes, 30 seconds	2
BOTTOMFISH:				
Logbooks	30	250	30 minutes	125
Western Pacific Sales Report	6	90	35 minutes	53
PRECIOUS CORAL:				
Logbooks	3	12	5 minutes	1
Sales Reports	3	6	10 minutes	1
EXPERIMENTAL FISHING:				1
Logbooks	1	1	1 hour	1
TOTALS	280*	26,029		14,867
*Unduplicated respondents				

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).

There is no start-up capital cost for complying with this requirement. The annual total cost to respondents is estimated at \$1,300, which includes miscellaneous postage and communications costs.

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

The estimated annual cost to the Federal government to administer this collection of information is \$6,620. This includes the cost for printing daily catch and effort log forms at \$3,000 per year, the cost of staff time for receiving and transmitting the report forms to appropriate NMFS personnel for analysis, \$2,100 (84 hours x \$25/hr); and the cost to administer the pre-trip notifications at \$1,520 (76 hours x \$20/hr).

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

Program Changes:

Observer notifications and meetings formerly covered by this submittal are now covered under a separate collection, OMB Control No. 0648-0593. As a result, responses were reduced by 22,168; hours, by 504, and recordkeeping/reporting costs, by \$748.

Further reductions of 7,590 responses, 3,795 hours and \$4,000 resulted from Commonwealth of the Northern Mariana Islands Commercial Bottomfish information collections now being under OMB Control No. 0648-0584, Permitting and Vessel Identification Requirements for the Commercial Bottomfish Fishery in the Commonwealth of the Northern Mariana Islands.

Adjustments:

All other estimates of respondents, responses, and burden hours were updated and recalculated based on the previous calendar year's report submissions. This resulted in a net addition of 2,867 responses and a net increase of 12,845 hours.

Costs increased by \$1,000, due to increases in postage and communication costs.

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, FEP amendments, and evaluations by NMFS and the WPFMC. However, subsequent use of the data collected over a series of 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.

The expiration date will be shown on the report forms used under this collection.

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.