

**SUPPORTING STATEMENT
PERMITTING AND VESSEL IDENTIFICATION REQUIREMENTS FOR THE
COMMERCIAL BOTTOMFISH FISHERY IN THE COMMONWEALTH OF THE
NORTHERN MARIANA ISLANDS
OMB CONTROL NO. 0648-0584**

A. JUSTIFICATION

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

This request is for revision and extension of a current information collection. We are also changing the title from “Permitting, Vessel Identification and Vessel Monitoring Requirements for the Commercial Bottomfish Fishery in the Commonwealth of the Northern Mariana Islands” to “Permitting and Vessel Identification Requirements for the Commercial Bottomfish Fishery in the Commonwealth of the Northern Mariana Islands, as the Vessel Monitoring requirements are now covered under OMB Control No. 0648-0441, Vessel Monitoring System Requirements in the Western Pacific Pelagic Longline Fishery, American Samoa Longline and CNMI Bottomfish Fisheries.

The [Magnuson-Stevens Fishery Conservation and Management Act](#) (Magnuson Act) established regional fishery management councils, including the Western Pacific Fishery Management Council (Council), to develop fishery ecosystem plans (FEPs) for fisheries in the United States (U.S.) exclusive economic zone (EEZ). These plans, if approved by the Secretary of Commerce, are implemented by Federal regulations, which are enforced by the National Oceanic and Atmospheric Administration (NOAA) and the United States Coast Guard (USCG), in cooperation with state agencies to the extent possible. The fishery management plans are intended to regulate fishing to ensure sustained productivity and achievement of optimum yield from the resources for the benefit of the United States.

In 2009, the Council prepared, and the Secretary approved and implemented through regulations at [50 CFR Part 665](#), an amendment to the FEP for the Marianas Archipelago. The regulations require the owners of commercial fishing vessels in the bottomfish fishery in the Commonwealth of the Northern Mariana Islands (CNMI) to register their vessels to a valid Federal bottomfish permit issued by the National Marine Fisheries Service (NMFS). This collection of information is needed for permit issuance, to identify actual or potential participants in the fishery, determine qualifications for permits, and to help measure the impacts of management controls on the participants in the fishery. The permit program is also an effective tool in the enforcement of fishery regulations and serves as a link between NMFS and fishermen.

1The Federal vessel identification requirements were created for large commercial fishing vessels to assist in aerial and at-sea enforcement of fishing regulations. The typical CNMI-based commercial bottomfish vessel, however, is not large enough to have the superstructure or deckhouse to support the Federal vessel identification markings. CNMI-based commercial bottomfish vessels less than 40 ft (12.2 m) long and in compliance with CNMI vessel registration and marking requirements are exempt from the Federal vessel identification requirements. Commercial CNMI bottomfish vessels 40 ft or longer are required to be marked in compliance with Federal vessel identification requirements.

Program Changes: The vessel monitoring system information collection requirements originally covered in this collection are now included under OMB Control No. 0648-0441, Vessel Monitoring System Requirements in the Western Pacific Pelagic Longline Fishery, American Samoa Longline and CNMI Bottomfish Fisheries. There is also now a \$28 permit fee.

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.

Permits

Information is collected via a NMFS permit application process. Permits are valid for one calendar year and may be renewed annually. Information from the permit application form will allow NMFS to confirm the identity of the permit holder and applicant, and to determine whether the applicant qualifies for the permit. Vessel-related information such as vessel documentation or registration, ownership, managing ownership, etc., are used by NMFS to determine whether the applicant is an owner of a U.S. documented/registered vessel. The information may also be used by NOAA Office for Law Enforcement (OLE), the USCG, and the Council.

Permit appeal letters and documents are compiled and submitted by the appellant. No form is used.

Vessel Identification

The vessel identification markings will be used by OLE and the USCG to verify that vessels and vessel owners comply with the regulations. The markings enable the OLE and USCG to identify the vessel from aerial and sea-borne enforcement platforms.

NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with Federal law and regulations, and NOAA policies 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.

Permits

Federal CNMI bottomfish fillable adobe permit applications are available online at http://www.fpir.noaa.gov/SFD/SFD_permits_index.html and from PIRO.

Vessel Identification

Vessel identification is done manually.

4. Describe efforts to identify duplication.

Permits

There is no similar CNMI permit requirement for the commercial CNMI bottomfish fishery.

Vessel Identification

The information is not duplicative; it is a unique requirement for vessels over 40 feet (12.2 m) participating in the commercial CNMI bottomfish fishery.

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

All respondents are considered small businesses.

Applications are available online to reduce the burden of time spent applying or ordering by mail. They may be downloaded, filled, printed, and then mailed to NMFS. Permits will be issued by NMFS and delivered via U.S. mail.

Vessel identification instructions provided by NMFS are straightforward.

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

Permits

Without this collection or if it is collected less frequently, NMFS would be unable to properly evaluate activity, participation, and reporting compliance in the commercial CNMI bottomfish fishery. It would be difficult to monitor the fisheries and their participants, determine entry and exit patterns, and provide information needed to ensure full impact analysis for fisheries management programs. Without this information, enforcement agents would not be able to identify current fishery participants for compliance monitoring purposes and NMFS would be unable to consult with permit holders on regulatory changes.

Vessel Identification

Vessel identification and verification of activity via air and surface patrol would be difficult for enforcement agencies.

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

None.

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 September 27, 2011 (76 FR 59660), solicited public comments on this extension. 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 provided

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

As stated on the permit application form: under Section 402(b) of the Magnuson-Stevens Act, as amended in 2006, 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 permits, logbooks and sales reports.

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 are asked of a sensitive nature.

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

Permits and Appeals

NMFS expects a total of 125 permit holders for Federal CNMI bottomfish permits each year. Permit holders are expected to spend 30 minutes annually, whether applying for the first time or renewing their existing permit. Thus, the total collection-of-information burden to fishermen for permit applications is estimated at 62.5 (63) hours per year.

Preparation of a permit appeal is estimated to take 2 hours. Appeals are rare, but for the purpose of this submission, one appeal per year is estimated.

Vessel Identification

For the medium and large vessel identification requirements, the burden is estimated at 45 minutes to paint each vessel (15 minutes for each of three locations on the vessel where marking is required). Assuming 6 medium and large bottomfish vessels are active, the total collection-of-information burden estimate is 4.5 (5) hours.

Total hours: 6 vessels x 45 min. per vessel = 5 hours.

Summary of Response and Hours

The total number of responses stated above and hours needed is summarized below.

Total number of responses: 125 applications + 1 appeal + 6 vessel markings = 132.

Total number of hours: 63 + 2 + 5 = 70.

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).

Permits and Appeal

There is no start up capital cost for complying with this requirement. The maximum estimated cost to respondents for postage, faxes, copies, etc., related to this collection is \$76 per year, or approximately \$0.60 per response. In addition, there is a permit fee of \$28, a total of \$3,500. Thus, total permit application costs are \$3,576.

Vessel Identification

For the medium and large vessel identification requirements, the burden is estimated at about \$10 for paint and supplies to paint each vessel. Assuming six medium and large bottomfish vessels are active, the total collection-of-information burden estimate is \$60.

Total cost: \$3,636.

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

Permits

The estimated annual cost to the Federal government to process permit applications and issue permits is \$1,563 per year (125 permits x 30 min/permit x \$25/hr).

Appeal

Government review of an appeal takes on average 2 hours x \$25 per hour.

Vessel Identification

No cost.

Total cost: \$1,563 + \$50 = \$1,613.

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

Program Changes:

The vessel monitoring system requirement, formerly a part of this collection, was merged into OMB Control No. 0648-0441 and removed from this collection. This removes 6 responses and 16 burden hours.

There is now a permit fee of \$28. This adds a cost of \$3,500.

Adjustment: Burden for appeals, which had been omitted inadvertently from the previous submission, has now been included. This adds one response, 2 hours and \$1 in reporting/recordkeeping 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. NMFS and the Council will use the data (primarily in an aggregated, non-confidential format) for developing management reports and fishery management plan amendments and evaluations. 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.

Not Applicable.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are employed.