

**SUPPORTING STATEMENT
ALASKA REGION GEAR IDENTIFICATION REQUIREMENTS
OMB CONTROL NO. 0648-0353**

This action requests extension of this collection.

INTRODUCTION

National Marine Fisheries Service, Alaska Region (NMFS) manages the groundfish fisheries in the exclusive economic zone off the coast of Alaska, under the Fishery Management Plan for Groundfish of the Gulf of Alaska and the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Management Area (FMPs). The North Pacific Fishery Management Council prepared, and NMFS approved, the FMPs under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#), 16 U.S.C. 1801 *et seq.* as amended by Public Law 109-479. These FMPs are implemented by regulations at [50 CFR part 679](#). Regulations pertaining to vessel and gear markings are set forth at § 679.24 and in the annual management measures at [§ 300.62](#).

Regulations specify that all hook-and-line, longline pot, and pot-and-line marker buoys carried on board or used by any vessel must be marked with Federal Fisheries Permit (FFP) number or State of Alaska Department of Fish and Game (ADF&G) vessel registration number. Law enforcement personnel rely on this information to assure compliance with fisheries management regulations. Gear that is not properly identified is confiscated.

JUSTIFICATION

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

Regulations that marker buoys be marked with identification information are essential to facilitate fisheries enforcement and actions concerning damage, loss, and civil proceedings. The ability to link fishing gear to the vessel owner or operator is crucial to enforcement of regulations.

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.

NOAA Fisheries Office for Law Enforcement (OLE) and United States Coast Guard (USCG) use the identification of fishing gear when issuing violations, prosecutions, and other enforcement actions. Cooperating fishermen also use the gear identification to report placement or occurrence of gear in unauthorized areas. Fishermen marking their gear correctly ultimately

benefit, as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

Most fishermen properly identify marker buoys and are not adversely affected by this requirement. In addition to Federal gear-marking requirements at 50 CFR § 679.24, ADF&G regulations (5 AAC 28.050) require fishermen to mark crab and groundfish pots with the ADF&G vessel registration number of the vessel operating the gear. Since many Pacific cod fishermen already participate in State groundfish and crab fisheries, they already are complying with this requirement. Marking of buoys reduces the costs to OLE and USCG enforcement efforts and allows for more effective enforcement of gear rules.

Markings must be in characters at least 4 inches (10.16 cm) in height and 0.5 inch (1.27 cm) in width in a contrasting color visible above the water line. The vessel must be maintained so the markings are clearly visible.

Fishermen incur the costs of marking their own marker buoys; the cost to fishermen is minimal. Materials needed are paint and paintbrush, or permanent ink applicator, and possibly a stencil. Assuming the buoy needs to be repainted every year, the operator of each vessel would need approximately 10 minutes to paint each buoy with either the FFP number or the ADF&G vessel registration number. Most fishermen have their marker buoys identified by the ADF&G vessel registration number.

Marker buoys identification

Vessel name
Vessel FFP number, or
Vessel's ADF&G vessel registration number

A vessel could have both hook-and-line and pot gear endorsements on an FFP. For 2013, the following endorsements were issued with an FFP:

980 vessels have hook-and-line gear endorsements

393 vessels have pot gear endorsements

These endorsements are not additives because both endorsements could occur on the same vessel. Therefore, the higher number (980) is used because there are very few vessels with only pot gear. This also is a correction from the last analysis which added the number of endorsements to obtain the number of respondents.

Each vessel could use 6 buoys or 12 buoys. It is estimated that 75% of the vessels use 6 buoys (735) and 25% use 12 buoys. The analysis also assumes that each buoy is painted annually.

Marker buoys identification, Respondent	
Number of respondents	980
Frequency of response = 1 per year	
Total annual responses	7,350
735 vessels have 6 buoys = 4410 buoys	
245 have 12 buoys = 2940 buoys	
Total burden hours (1837.50)	1,838 hr
Time per response = 15 minutes	
(15 x 7350)/60	
Total personnel cost (1838 x \$15/hr)	\$27,570
Total miscellaneous costs (\$10 x 980)	\$9,800
Miscellaneous supplies (paint and paintbrush)	

Marker buoys identification, Federal Government	
Total annual responses	0
Total burden hours	0
Total personnel cost	0
Total miscellaneous costs	0

The information collected will not be disseminated to the public because the information is identification on a marker buoy and 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 marking of fishing gear marker buoys does not use automated, electronic, mechanical, or other technological techniques.

4. Describe efforts to identify duplication.

No other existing collection is duplicated.

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

The collection does not have a significant impact or burden on small businesses, and no special modifications of the regulations were considered necessary to accommodate the needs of small businesses.

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

If the collection were not conducted or were conducted less frequently, the OLE and USCG could not enforce the fisheries management measures and the fisheries could be endangered.

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 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 July 3, 2013 (78 FR 40103) solicited public comments through September 3, 2013. No comments were received in response to the notice.

On July 10, 2013, NMFS sent out questions by e-mail to a list of 19 randomly selected respondents who are known to use marker buoys. Each company was notified that NMFS had developed and attached a brief questionnaire regarding the marking of buoys for vessels using hook-and-line, longline pot, and pot-and-line gear and would appreciate their participation. The questionnaire is presented below, with responses.

One response was received after the initial questionnaire. A second email (with questionnaire) was sent to all remaining respondents, and two additional responses were received.

Two addresses were returned as “delivery failed.” Fourteen respondents did not respond. Three responses were received; one of those responses applied to two vessels. Three respondents agreed:

- ◆ that the required identification information to be painted on each buoy was reasonable and easily available
- ◆ that the instructions for applying the required identification information on a buoy were stated clearly and understandably
- ◆ that 15 minutes or less is enough time to collect the information and paint it on a buoy
- ◆ that the estimate of \$10 for painting one buoy was accurate
- ◆ that each respondent used 2 buoys per line as compared with NMFS’ estimate of 6 to 8 buoys per line

Two respondents indicated that a buoy needed painting every 3 to 5 years, not annually. One respondent agreed that the repainting was needed annually.

Alaska Region Gear Identification – OMB 0648-0353 – Expiration Date 01/31/2014				
	YES (X)	NO (X)	COMMENTS	No Comment (X)
1. Each buoy must be painted with the vessel name and either the FFP number or ADF&G vessel registration number. Are these data elements reasonable and easily available? If NO, explain.	111			
2. We estimate it takes 15 minutes or less to collect and paint the information on one buoy. Is this time accurate and reasonable? IF NO, explain.	111			
3. We estimate that a buoy needs repainting after one year. Do you agree with this estimate? If NO, explain.	1	11	Good for 3 to 5 years	
4. We estimate that painting supplies (paint and paintbrush) cost \$10 per buoy? Is this cost accurate and reasonable? If NO, explain.	111			
5. Markings must be in characters at least 4 inches (10.16 cm) in height and 0.5 inch (1.27 cm) in width in a contrasting color visible above the water line and shall be maintained so the markings are clearly visible. Are these instructions clear, understandable, and reasonable? If NO, explain.	111			
6. How many buoys per line do you use?			2, 2, 2	
7. Provide any additional comments on any aspect of the buoy identification requirement				111

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

NMFS will not provide any payment or gift to respondents.

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

The marking of fishing gear is not confidential. There is no assurance of confidentiality provided, as marking of gear occurs on an individual basis. No information is submitted to NMFS.

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.

This information collection does not involve information of a sensitive nature.

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

Total estimated respondents, 980, down from 1,692. Total estimated responses are 7,350, down from 12,552. Total estimated time burden is 1,838, down from 3,138 hours. Total estimated personnel cost is \$27,570, down from \$47,070. Personnel labor costs are estimated at \$15 per hour.

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).

Total estimated miscellaneous costs are \$9,800, down from \$16,920.

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

There are no Federal costs associated with this collection, because this collection involves marking of fishing gear by respondents from which no information is received to process.

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

Adjustments/corrections were made in the number of respondents for buoy marking.

Buoy Marking

A decrease of 712 respondents, 980 instead of 1,692 due to a correction in number of unique respondents (most pot gear vessels also use longline gear) as well as a decrease in the number of active vessels.

A decrease of 5,202 responses, 7,350 instead of 12,552 due to decrease in respondents, led to 1,300 fewer hours.

A decrease of \$7,120 in miscellaneous costs, based on the decrease in number of respondents.

There was an associated decrease of \$19,515 in personnel costs.

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

The information collected will not be published. The information collected will not be disseminated to the public because the information is identification on a marker buoy and is not submitted to NMFS.

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

This collection does not employ statistical methods.

APPENDIX

QUESTIONS FOR OMB CONTROL NUMBER 0648-0353 COLLECTION ALASKA GEAR IDENTIFICATION (July 8, 2013)

The Office of Management and Burden (OMB) requires each Federal agency to ask for comments from non-agency persons who are required to comply with recordkeeping and reporting requirements for that agency. NOAA National Marine Fisheries Service, Alaska Region, requires that all hook-and-line, longline pot, and pot-and-line carried on board a vessel or used by any vessel be marked with the vessel name and either the vessel's Federal Fisheries Permit (FFP) number or the vessel's Alaska Department of Fish and Game (ADF&G) vessel registration number (see § 679.24(a)).

Your name was chosen randomly from a list of persons who are required to comply with this gear identification collection of information, identified as OMB Control Number 0648-0353.

Please take a few minutes to let us know what you think about details of identifying marker buoys. Also, provide comments on any aspect of this collection. Respond to YES or NO answers and NO COMMENT answers with an "X". Then, email your responses to me at patsy.bearden@noaa.gov no later than Friday, July 19, 2013.

If you have questions or need additional information, please call me at 907-586-7008. Thanks in advance.

Respectfully,

Patsy A. Bearden
Sustainable Fisheries Division
NMFS Alaska Region

Telephone (907) 586-7008
Fax (907) 586-7465
E-mail patsy.bearden@noaa.gov

Alaska Region Gear Identification – OMB 0648-0353 – Expiration Date 01/31/2014				
	YES (X)	NO (X)	COMMENTS	No Comment (X)
1. Each buoy must be painted with the vessel name and either the FFP number or ADF&G vessel registration number. Are these data elements reasonable and easily available? If NO, explain.				
2. We estimate it takes 15 minutes or less to collect and paint the information on one buoy. Is this time accurate and reasonable? IF NO, explain.				
3. We estimate that a buoy needs repainting after one year. Do you agree with this estimate? If NO, explain.				
4. We estimate that painting supplies (paint and paintbrush) cost \$10 per buoy? Is this cost accurate and reasonable? If NO, explain.				
5. Markings must be in characters at least 4 inches (10.16 cm) in height and 0.5 inch (1.27 cm) in width in a contrasting color visible above the water line and shall be maintained so the markings are clearly visible. Are these instructions clear, understandable, and reasonable? If NO, explain.				
6. How many buoys per line do you use?				
7. Provide any additional comments on any aspect of the buoy identification requirement				