

SUPPORTING STATEMENT
MANDATORY SHRIMP VESSEL AND GEAR CHARACTERIZATION SURVEY
OMB CONTROL NO. 0648-0542

Introduction

This request is for an extension of this information collection: to collect vessel and gear characterization data from commercial shrimp fishing enterprises participating in the Gulf of Mexico Exclusive Economic Zone (EEZ) shrimp fishery. The annual data collection began in 2006.

A. Justification

1. Explain why you need to conduct the information collection.

National Marine Fisheries Service (NMFS) is currently collecting census-level information on fishing vessel and gear characteristics in the Gulf of Mexico EEZ shrimp fishery, in order to conduct analyses that will improve fishery management decision-making in this fishery; ensure that national goals, objectives, and requirements of the Magnuson-Stevens Fishery Conservation and Management Act (MFCMA, 16 U.S.C. 1801 *et seq.*), National Environmental Policy Act (NEPA), Regulatory Flexibility Act (RFA), Endangered Species Act (ESA), and Executive Order (E.O.) 12866 are met; and quantify achievement of the performance measures in the NMFS' Operating Plans. This information is vital in assessing the economic, social, and environmental effects of fishery management decisions and regulations on individual shrimp fishing enterprises, fishing communities, and the nation as a whole. Recordkeeping requirements under the MFCMA are codified in 50 CFR 622.5.

Collection of vessel and gear characterization and fishing effort information is necessary, supplemental information to the core economic, social, and biological information regarding the fishery that is vital to the Optimum Yield (OY) management of marine fishery resources as mandated under the MFCMA. The term "Optimum" is defined under section 104-297 of the Act, as: (A) will provide the greatest overall benefit to the Nation, particularly with respect to food production and recreational opportunities, and taking into account the protection of marine ecosystems; (B) is prescribed as such on the basis of the maximum sustainable yield from the fishery, as reduced by any relevant economic, social, or ecological factors; and (C) in the case of an overfished fishery, provides for the rebuilding to a level consistent with producing the maximum sustainable yield in such a fishery.

Considerable controversy exists regarding estimates of effort, bycatch (particularly with respect to red snapper and other finfish), turtle interactions, and overcapacity in this fishery. This controversy has led to multiple lawsuits being filed against NMFS and Congressional level inquiries into the adequacy of the science used to generate these estimates and the policy decisions that have resulted. More accurate data and additional analyses continue to be needed in order to increase the certainty and confidence in these estimates and thereby resolve these conflicts.

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 vessel and gear characterization survey is a census data collection effort of all shrimp vessel owners who possess a valid federal Gulf of Mexico shrimp fishing permit. The Southeast Fisheries Science Center (SEFSC) of NMFS will mail this survey to these individuals.

This project is to update existing data and continue data collection efforts for this significant fishery. NMFS currently collects information from commercial shrimp vessels pertaining to their fishing activities, trip dates, landings, and other information through port agents and mandatory dealer reports. Historically, little data related to vessel and gear characteristics at the individual vessel level have been collected through these means.

In 2003, a new voluntary socioeconomic data collection effort was implemented to randomly survey approximately 10% of the offshore shrimp fishing vessels in the Gulf of Mexico. Vessel and gear characterization questions were included in this socioeconomic survey. The questions were included in that survey because, at that time, the permit requirement in the fishery was relatively new. It was determined that the inclusion of an additional form with the permit application was inadvisable since Gulf shrimp fishermen were still adjusting to the new requirement. Therefore, beginning in 2006 these data were collected under Office of Management and Budget (OMB) Control No. 0648-0542 per the final rule implementing Amendment 13 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (71 FR 56039, September 26, 2006).

Requiring the survey completion shortly before permit renewal, with renewal contingent upon survey completion*, ensures that all permitted fishermen will be included in the census and each fisherman will only be surveyed once per annum. It is anticipated that the effort will be ongoing in future years.

One of the primary purposes of collecting vessel and gear characterization data at the census level is so that it can be used to develop statistically valid sampling designs for the other aforementioned data collection programs. It is believed that the creation of stratified, random sampling designs for these data collection programs is necessary to ensure that the data, and the estimates of the fishery performance measures based on that data, are accurate (e.g., representative of the fishery's actual performance). The various vessel and gear characteristics serve as strata in these sampling designs.

The information collected by this form is used by NMFS economists, social scientists, and biologists to help evaluate the performance of existing regulations (e.g., bycatch reduction devices (BRDs), turtle exclusion devices (TEDs), time/area closures, etc.), and the impacts that changes to those regulations may have on individual fishermen, the shrimp fishing industry as a whole, and fishing communities. The vessel and gear characterization data are linked to various biological, social, and economic data collected by other means.

*There are no new permits being issued. If a person buys/transfers a permit on January 1, 2013, before this person's permit can be renewed in 2014, he/she would have to complete a survey form. This would also be noted as a condition of renewal in the mail-out the Region sends out in the renewal packet to the new owner of the permit.

It is anticipated that the information collected will be available to the public through technical memoranda and similar publications, or used to support publicly disseminated information, such as analyses contained within Council Amendment documents. Data may be reported according to the various types of nets, TEDs, BRDs or electronic equipment that is generally used, which will allow comparisons and evaluations of alternative vessel and gear configurations by analysts and vessel owners.

Justifications for Questions

The questions contained in this form are needed to collect data as required by Amendment 13 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico, prepared by the Gulf of Mexico Fishery Management Council. All but Question 1 are focused on activity in the past year. Questions 1-4 ask for year of vessel purchase, by whom the vessel was operated in the past year, and in what areas and fisheries the vessel was operated. Questions 5-11 pertain to the most frequent type of gear used. Questions 12-13 pertain to the most frequently used bycatch reduction device (BRD) used. Questions 14-26 pertain to the most frequently used turtle exclusion device (TED) used. Question 27 asks for a list of all electronic equipment used on board.

These annually collected data are required to assess the fishery, aiding in the informed management decision making process. This information helps to estimate vessel profitability and aggregate economic impacts associated with the vessel and local shrimp fishing industry. Additionally, economic theory suggests that organizational structure can impact who makes decisions within the fishing business, how those decisions are made, and what the goals or objectives of the fishing business might be which in turn will affect the vessel's productivity and economic performance. These data will provide information about the average length of trips and how many days of fishing occurred during a calendar year. This information will help to determine which fishermen are full-time participants, who are part-time, the level of dependency that each has on this fishery, and the potential impacts that federal regulations may have on them.

The questions contained in this form will also collect information which will help to assess the relative performance of different BRDs with respect to bycatch reduction and shrimp loss, and thus the socioeconomic and environmental impacts of potential changes in BRD regulations on individual fishing enterprises, fishing communities, and the environment. In addition, information about the types of TEDs actually in use will help to assess the socioeconomic impacts of federally mandated TED regulations on individual fishing enterprises and fishing communities, especially in light of recent changes to the TED regulations. Information on the relative performance of alternative TEDs and BRDs will be useful to both managers and fishermen.

NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NMFS' 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. 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.

Annual surveys will be mailed out in February-March of each respective year. The survey will be sent out with permit renewal notices, before the anniversary of the permit holder's birthday. Responses will be entered into a database, designed specifically for this purpose, and data will be periodically transmitted to SERO Fisheries Social Sciences Office. There will be no other means, electronic or otherwise, to submit data or information for the purposes of the form at this time. However, in the future, if an electronic permit renewal system is established, this form could be included as part of that system.

4. Describe efforts to identify duplication.

The collection of the data requested in this form is unique in its detail and specificity to individual fishing entities and their general operation. There will be no duplication of the vessel and gear characterization information being gathered from the Gulf of Mexico federal shrimp permit holders. The electronic logbook requirement does not include the information being collected on this form. These data will be linked to the socioeconomic survey data, shrimp dealer landings data collected by NMFS port agents, electronic logbook data, shrimp permit data, and data from the United States (U.S.) Coast Guard Vessel Documentation program. A draft of this form originally went through several internal and external reviews to ensure that there was no duplication.

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

According to recent analyses, it is yet unknown whether all harvesting entities in the Gulf shrimp EEZ fishery are considered small businesses. Currently available information suggests that there may be some "large" entities in the fishery, but this information is not yet conclusive. Therefore, separate requirements based on size of business have not been developed. Only the minimum data to meet the current and future needs of NMFS management, stock assessments, and permitting programs are requested from all applicants. The results of this data collection effort are expected to improve the economic conditions of small fishing entities by affording fishery management agencies the information needed to better consider social and economic factors in management plans and regulations.

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

Without this information, various user groups will continue to express a lack of confidence in NMFS' estimates of effort, bycatch (particularly with respect to red snapper and other finfish), turtle interactions, and overcapacity in this fishery, and thus in the various analyses and assessments that make use of these estimates. This information is vital in assessing the economic, social, and environmental effects of alternative fishery management decisions and regulations on individual fishing enterprises, fishing communities, and the nation as a whole as per the requirements of MFCMA, NEPA, RFA, ESA, and E.O. 12866. A continued lack of

confidence in the data and analyses being used to support controversial policy decisions will only serve to continue and exacerbate existing conflicts between user groups.

Regulations regarding BRDs, TEDs, and time/area closures have changed fairly often in the past, and are likely to change in the future as economic, social, and environmental conditions change. The economic and social conditions in this fishery have been highly unstable in recent years, even more so than historically. Thus, collecting this information on at least an annual basis, as opposed to every two or more years, is necessary to ensure that currently representative data are being used in the various analyses. Without this information, it will be very difficult to accurately evaluate the performance of existing regulations (e.g., BRDs, TEDs, time/area closures, etc.), and the impacts that changes to those regulations may have on individual fishermen, the fishing industry as a whole, and fishing communities. More specifically, it will be difficult to generate accurate analyses of the various policy alternatives that NMFS and the Council may consider with respect to determining the significance of economic impacts on small entities, as required by the Regulatory Flexibility Act; how best to achieve the maximization of net benefits to society, as required by E.O. 12866; and the impacts on the environment, as required by NEPA. Without this information, it will be quite difficult to determine whether: 1) bycatch in the fishery is being minimized to the extent practicable as per the requirements of National Standard 9 to the MFCMA; 2) the fishery is operating in a manner consistent with existing regulations that have been implemented under the ESA; 3) abundance is changing as a result of environmental or human related factors, and to what extent; and 4) the fleet's fishing capacity is at an economically sustainable level.

Without the data collected by the vessel and gear characterization form, confidence in the data and estimates of the fishery performance measures arising from these complementary programs will be low, as will be any policy decisions based thereon. Further, if the information is not collected at the census level, it cannot be used to develop random sampling designs for other data collection programs in this fishery.

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

The collection is consistent with 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 5, 2013 (78 FR 40436), soliciting comments on the continuation of this collection of information. No comments were received.

NMFS mailed a questionnaire to 100 randomly selected Gulf of Mexico Shrimp permit holders on July 15, 2013. The results are based on 62 returned questionnaires, a 62 percent return rate, received by NMFS on or before August 30, 2013.

1). Do you know how the data you provide in this survey are used?

Yes = 21%

No = 73%

Somewhat or N/A= 6%

2). Have you seen any benefits or repercussions of providing data for this survey?

Yes = 9%

No = 85%

Somewhat or N/A = 6%

3). Is taking this survey annually an appropriate frequency of occurrence?

Yes = 52%

No = 45%

Somewhat or N/A = 3%

4). Is the format of the instructions and questions in the survey easily understandable?

Yes = 85%

No = 10%

Somewhat or N/A = 5%

5). Are the data elements (items requested) in the survey readily available for you to provide?

Yes = 77%

No = 21%

Somewhat or N/A = 2%.

The majority of the respondents understood the instructions and questions of the survey, said that they had easy access to the data elements and agreed that taking the survey annually is an appropriate frequency. However, very few survey respondents understood what the data is used for or have any idea of whether the survey benefits them in the long run. This survey will be modified next year to break out Question 2 into two questions; one regarding benefits and one, repercussions and NMFS will explain what some of these benefits and repercussions could be, so the survey respondents have a better idea of how these data are used in fisheries management.

The survey form and cover letter submitted with this extension also have a paragraph explaining the uses of the data:

Through this form, NMFS is collecting information from all federally permitted shrimp vessel owners/operators on fishing vessel and gear characteristics in the Gulf of Mexico Exclusive Economic Zone (EEZ) shrimp fishery. The data collected are currently being analyzed by NMFS economists, gear specialists, and fishery biologists to improve fishery management decision-making in this fishery. This information is vital in assessing the economic, social, and environmental effects of fishery management decisions and regulations on individual shrimp fishing enterprises, fishing communities, and the nation as a whole.

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

No monetary payments or other remuneration will be made.

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

As stated on the survey instrument, all data that are submitted are treated as confidential in accordance with the Magnuson-Stevens Act (16 U.S.C. 1881a, 402b, Confidentiality of Information) and NOAA Administrative Order 216-100.

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 are no questions of a sensitive nature included in this survey.

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

It is estimated that the number of respondents will be no more than 1,529, which is the number of permit holders in the fishery. The time per response is estimated to be 20 minutes, for a total annual burden of 510 hours. Information to be gathered in this study should be readily available to the vessel owners, based on their memory or written documentation, such as fishing logs.

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 will be no financial cost to the public to participate in this study (excluding valuation of respondents' time). The survey is mailed to the permit holders and it is accompanied by a pre-paid envelope for the respondents to return the survey to the NMFS Galveston Laboratory.

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

The average annualized cost to the Federal government is estimated to be approximately \$13,229.

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

The reduction in number of respondents from 1,563 to 1,529 and total burden hours from 521 to 510, is due to a reduction in the size of the shrimp fishery fleet.

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

These data will be published in summarized format and generalized tables in an annual NMFS technical memorandum or similar report. Project reports will provide documentation about the survey methodologies, survey instrument, and an assessment of the validity of the collected data.

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.