

**SUPPORTING STATEMENT
TRANSSHIPMENT REQUIREMENTS UNDER THE WCPFC
OMB CONTROL NO. 0648-0649**

A. JUSTIFICATION

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

This is a re-submission of a request for revision of this information in conjunction with the Final Rule 0648-0E36. A requirement for a Daily Fish Aggregation Device (FAD) report will be added, as described in the proposed rule. No changes have been made to this request.

Under the Western and Central Pacific Fisheries Convention Implementation Act ([WCPFCIA](#); 16 U.S.C. § 6901 *et seq.*), the Secretary of Commerce has the authority to develop and implement regulations to carry out the obligations of the United States (U.S.) as a Contracting Party to the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention) and a Member of the Western and Central Pacific Fisheries Commission (WCPFC). The Convention, which established the WCPFC, provides for the conservation and management of target stocks, non-target species, and species belonging to the same ecosystem or dependent upon or associated with the target stocks.

As a Contracting Party to the Convention and a member of the WCPFC, the United States is obligated to implement the Conservation and Management Measures (CMMs) adopted by the WCPFC. The National Marine Fisheries Service (NMFS) has been delegated the responsibility for implementing CMMs and other decisions of the WCPFC via rulemaking.

In December 2009, the WCPFC adopted CMM 2009-06¹, “Conservation and Management Measure on the Regulation of Transshipment”. Specific obligations under CMM 2009-06 include the following: (1) require operators of vessels that offload or receive transshipments, at sea or in port, to provide specific information detailing the location of transshipment and particular products being transshipped; (2) require that notice be submitted to the WCPFC at least 36 hours prior to each transshipment on the high seas in the area of application of the Convention (Convention Area) or at least 36 hours prior to each transshipment on the high seas of fish caught in the Convention Area and transshipped on the high seas elsewhere, and within 12 hours of the completion of the transshipment in the case of an emergency transshipment that would otherwise be prohibited; and (3) require that observers be carried on vessels to monitor transshipments, with the specific observer requirements depending on the length of the receiving vessel and the type of fish being transferred.

The provisions of CMM 2009-06 apply to all transshipments that take place in the WCPFC Convention Area of any highly migratory fish species (HMS) covered by the Convention, as well as all transshipments of HMS taken in the Convention Area that take place outside that area. Among the objectives of the CMM is to establish procedures to obtain and verify data on the quantity and species transshipped in the Convention Area to ensure accurate reporting of catches, so that stock assessments of HMS include better data. The CMM is premised on the recognition

¹ All CMMs may be found at this link: <http://www.wcpfc.int/conservation-and-management-measures>

that unregulated and unreported transshipment of catches of HMS at sea contributes to inaccurate reporting of the catches of such stocks, and supports illegal, unreported, and unregulated (IUU) fishing activities.

In December 2010, the WCPFC adopted CMM 2010-02, “Conservation and Management Measure for the Eastern High-Seas Pocket Special Management Area.” This measure applies to the area of the high seas bounded by the Exclusive Economic Zones of the Cook Islands to the west, French Polynesia to the east and Kiribati to the north, and requires HMS vessels to submit reports with specific information, including catch data, at least six hours prior to entry and no later than six hours prior to exiting this area of the high seas. The measure seeks to reduce IUU fishing.

CMM 2009-02 “Conservation and Management Measure on the Application of High Seas FAD² Closures and Catch Retention,” adopted by the WCPFC in December 2009, contains reporting requirements for discards of fish from purse seine vessels.

In December 2013, the WCPFC adopted CMM 2013-01³, “Conservation and Management Measure for Bigeye, Yellowfin and Skipjack Tuna in the Western and Central Pacific Ocean”. Specific obligations for the United States under CMM 2013-01 include limiting the number of sets made on FADs each year to specified levels. If NMFS determines that the limit is expected to be reached, it would issue a notice in the Federal Register announcing the applicable dates of specific FAD-related prohibitions.

NMFS implemented the requirements of CMM 2009-06, CMM 2010-02, and the catch discard reporting requirements of CMM 2009-02 via rulemaking.

NMFS is implementing the FAD-related requirements of CMM 2013-01 via rulemaking. The regulations would apply to all U.S. purse seine vessels operating in the Convention Area. The regulations include a reporting requirement, “daily FAD report,” that would be included as an additional element to this collection of information, “Transshipment Requirements under the WCPFC.”

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.

Transshipment CMM (CMM 2009-06)

The owner or operator of any U.S. commercial fishing vessel that offloads or receives a transshipment in the Convention Area of HMS or a transshipment of HMS caught in the Convention Area is required to complete and submit to NMFS a form (“Pacific Transshipment Declaration Form”) for each transshipment that takes place. Information specified on the form will need to be recorded within 24 hours after the time of completion of the transshipment. Due dates for submittal of the completed original form will depend on the nature of the transshipment and whether the vessel owner or operator is subject to existing regulations for transshipment data

² Fish Aggregating Device

³ All CMMs may be found at this link: <http://www.wcpfc.int/conservation-and-management-measures>

collection. For vessels licensed under the South Pacific Tuna Treaty (pursuant to [50 CFR § 300.32](#)), the original form will be required to be submitted to the NMFS Pacific Islands Regional Administrator by the due date specified for submitting the existing original transshipment logsheet form to the Treaty Administrator (currently the Pacific Islands Forum Fisheries Agency) at [50 CFR § 300.34\(c\)\(2\)](#). Vessels registered under [50 CFR § 660.707](#) will be required to submit the original form to the NMFS Pacific Islands Regional Administrator by the due date specified for the logbook form at [50 CFR § 600.708](#). Vessels subject to the requirements of [50 CFR 665.801\(e\)](#) are required to submit the original form to the NMFS Pacific Islands Regional Administrator by the due date specified for submitting the transshipment logbooks at [50 CFR § 50 CFR 665.14\(c\)](#). For transshipments on the high seas and emergency transshipments, vessels must submit a copy of the form by fax or email to the NMFS Pacific Islands Regional Administrator no later than 10 calendar days after the completion of the transshipment; the original form must be submitted no later than 15 days after the vessel first enters into port. For all other transshipments, vessels must submit the original form to the NMFS Pacific Islands Regional Administrator no later than 72 hours after the vessel first enters port. Required information includes offloading and receiving vessel information, gear type, description of the products being transshipped (including species, processed state and amount in metric tons of each species), date and location of catch and transshipment, WCPFC observer information, if applicable, and quantity and geographic origin of both the product being transshipped and product already on board the receiving vessel. The Pacific Transshipment Declaration Form is attached to this supporting statement for reference.

Owners or operators of any U.S. commercial fishing vessel are required to submit notice to the WCPFC Executive Director containing specific information at least 36 hours prior to each transshipment on the high seas in the Convention Area or of fish caught in the Convention Area and transshipped on the high seas elsewhere. In the case of an emergency transshipment that would otherwise be prohibited, owners or operators of any U.S. commercial fishing vessel are required to submit notice to the WCPFC Executive Director containing specific information within 12 hours of the completion of the transshipment. The notice is to be provided by fax or email and includes the following information: (1) the name of the offloading vessel and the vessel identification markings located on the hull or superstructure of the offloading vessel; (2) the name of the receiving vessel and the vessel identification markings located on the hull or superstructure of the receiving vessel; (3) description of the product being transshipped, including species, processed state, and amount in metric tons of each species; (4) date and projected location of transshipment; and (5) required for the offloading vessel only, geographic location of the HMS catches to be transshipped. A copy of the notice should also be provided to NMFS.

Owners or operators of any U.S. commercial fishing vessel anticipating a transshipment where an observer is required are required to provide notification to NMFS at least 72 hours (not including weekends and holidays) before leaving port of the need for an observer. The notification includes the name of the vessel, name of the operator, intended departure and return date, and a telephone number at which the owner or operator may be contacted.

Data collected is used by NMFS and the WCPFC to verify the quantity of HMS transshipped in the Convention Area to ensure accurate reporting of catches, to enhance stock assessments of HMS stocks and to obtain information needed by NMFS, the National Oceanic and Atmospheric Administration's (NOAA) Office of Law Enforcement (OLE), and the WCPFC to monitor the

activities of the vessels fishing in the Convention Area and the performance of the fisheries. The information is collected by NMFS on behalf of the U.S. Government and will be provided to the WCPFC in accordance with the CMM.

Eastern High-Seas Pocket Special Management Area CMM (CMM 2010-02)

The owner or operator of any U.S. HMS vessel must submit a notice to the WCPFC Executive Director containing specific information at least six hours prior to entry and no later than six hours prior to exiting the Eastern High Seas Special Management Area (Eastern SMA). The notices are to be provided by fax or email and must include the following information: (1) vessel identification; (2) entry or exit; (3) date and time of anticipated point of entry or exit; (4) latitude and longitude of anticipated point of entry or exit; (5) amount of product on board in kilograms, separated into particular categories (yellowfin tuna, bigeye tuna, albacore, skipjack tuna, swordfish, shark, other); and (6) whether the vessel engages in any transshipments while in the Eastern SMA. A copy of the notice is also provided to NMFS.

The information collected is used by the WCPFC and the WCPFC member States situated adjacent to the Eastern SMA to monitor fishing activities in the Eastern SMA in an effort to reduce IUU fishing in that area. Although the information collected will not be disseminated to the public in its raw form, it will be used to prepare derivative information products which could be disseminated to the public. The information will assist the WCPFC Secretariat in compiling and verifying the “live list” of fishing vessels present in the Eastern SMA, which will be made available on the WCPFC website. The primary source of information for the “live list” will be the WCPFC’s vessel monitoring system (VMS) data; the information collected in the notices will be used to support the VMS data.

Purse Seine Discard Reports (CMM 2009-02)

The owner or operator of any U.S. purse seine vessel is required to complete and submit to the WCPFC Executive Director a form (“U.S. Purse Seine Discard Form”) containing specific information regarding the discard at sea of any catch within 48 hours after any discard. Completed forms will have to be submitted by fax or email and include the following information: (1) vessel name; (2) international radio call sign; (3) license number (WCPFC Area Endorsement Number); (4) name of vessel operator; (5) nationality of vessel operator; (6) name of observer on board; (7) date and time of discard; (8) location of discard; (9) date and time of set; (10) location of set; (11) type of set; (12) reason for discard; (13) amount of fish discarded by species; and (14) amount of retained fish from the set by species. A copy of the form is also to be provided to NMFS by fax or email within 48 hours after any discard and a hard copy of the form will have to be provided to the observer on board the vessel.

This collection of information is used to ensure accurate reporting of catches, to create a disincentive to the capture of small fish and to encourage the development of technologies and fishing strategies designed to avoid the capture of small bigeye tuna and yellowfin tuna.

Daily FAD Report (CMM 2013-01) - NEW REQUIREMENT

Under existing requirements, U.S. purse seine vessel owners and operators are required to submit to NMFS “Catch Report Forms”, also known as “Regional Purse Seine Logs” or “RPLs,” after each trip, about five of which are made per vessel per year. Information on the type of set made, including whether it was made on a FAD, is required to be included in the logbook (this reporting requirement is part of a separate information collection, OMB Control No. 0648-0218). However, NMFS does not receive that logbook information until after the vessel returns to port. As a result, it would be difficult for NMFS to estimate and project FAD sets with respect to the specified annual limit in a timely and reliable manner. For that reason, NMFS is establishing an additional reporting requirement.

For the purpose of estimating and projecting FAD sets with respect to the annual FAD set limit the owner and operator of the vessel will be required to submit a report to NMFS with the following information within 24 hours at the end of each day that the vessel is on a fishing trip in the Convention Area: vessel name and international radio call sign, and whether or not a set was made on a floating object during the previous day.

The information collected will be used by NMFS to estimate and project the number of FAD sets and to determine when the specific annual limit is expected to be reached. The collected FAD data will be disseminated to the public only in aggregated form – such as for the purpose of notifying the public of the total FAD set tally to date, or in synthesized form - such as incorporated into analyses presented in scientific or enforcement technical reports.

NOAA complies with [OMB Information Quality Guidelines](#) for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by federal agencies. If the transshipment and other data are used as supporting information disseminated to the public they will be in aggregate or synthesized form, such as in scientific and enforcement technical reports (e.g., regarding total catch/ total fishing effort, discards, and transshipment patterns). See Question 10 for information about confidentiality.

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 majority of Pacific Transshipment Declaration Forms are collected in physical form; they will not be automated, electronic, or mechanical, although forms for high seas transshipments or emergency transshipments may also be submitted by fax or email to meet the required deadline. Prior notice for high seas transshipment, prior notice of emergency transshipments, notice of entry or exit for the Eastern SMA, and the U.S. Purse Seine Discard Forms are provided directly to the WCPFC Secretariat by fax or email. NMFS understands that some vessels (other than Purse Seine Vessels) may not be equipped with fax or email capabilities, in which case owners and operators of these vessels could, for example, have crew members radio the required information to a shore contact or to another vessel, which could then submit the notice to the required recipients by fax or email. Vessel owners/operators required to provide pre-trip notifications to NMFS for observer placement are able to do so by email or telephone, and are expected to do so by telephone in virtually all cases.

Daily reporting for the FAD requirement must be submitted by email or other electronic means, such as electronic logbook reporting systems, that may from time to time be specified by the NMFS Regional Administrator, Pacific Islands Regional Office.

All forms and related instructions are made available to the public on the NMFS Pacific Island Regional Office website (www.fpir.noaa.gov).

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.

Under existing regulations, owners and operators of vessels licensed under the regulations ([50 CFR 300.32](#)) implementing the South Pacific Tuna Treaty (Treaty) must submit a transshipment logsheet form for each transshipment made. The current provisions of the Treaty require the submission of the existing specific transshipment logsheet form. With this collection, affected vessel owners and operators are required to complete and submit both the form required by the Treaty and the Pacific Transshipment Declaration Form so long as the existing requirements to implement the Treaty remain in effect. NMFS anticipates that the Pacific Transshipment Declaration Form will eventually replace the existing transshipment logsheet form required by the regulations implementing the Treaty.

Under existing regulations, owners and operators of vessels registered to receive transshipments of longline-caught fish in the U.S. Exclusive Economic Zone (EEZ) are required to submit a transshipment logbook (this reporting requirement is part of a separate information collection, OMB Control No. 0648-0218) containing report form provided by NMFS for each day of transshipment activity ([50 CFR 665.14\(c\)](#) and [50 CFR 665.801\(e\)](#)). With this collection, NMFS has replaced the transshipment logbook form currently in use with the Pacific Transshipment Declaration Form. Thus, owners and operators of vessels receiving transshipments of longline-caught fish in the U.S. EEZ will be required to submit only one form for a given transshipment.

Owners and operators of vessels that would be subject to regulations implementing the Inter-American Tropical Tuna Commission (IATTC) “Resolution on Establishing a Program for Transshipments by Large-Scale Fishing Vessels” ([Resolution C-08-02](#)) that offload or receive transshipments in the IATTC Area are also required to complete and submit to NMFS a Pacific Transshipment Declaration Form – the development of these regulations is the subject of a different rulemaking. In such cases where a vessel is subject to the transshipment requirements of the WCPFC and the IATTC (e.g., transshipment of fish caught in the WCPFC Area while in the IATTC Area), owners and operators are required to submit only one Pacific Transshipment Declaration Form to the address specified by NMFS.

Under existing regulations, vessels fishing for HMS in the management area of the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species must maintain on board the vessel an accurate and complete record of catch, effort and other data on report forms provided by the NMFS Southwest Regional Administrator. The current version of the form that is used by albacore troll vessels (the only fleet managed under that Fishery Management Plan

that is currently active in the Convention Area) includes information about at-sea transshipments. However, the information in the existing logbook form requires only general information regarding transshipments – the date, offloading vessel, and amount. With this collection, vessel owners and operators subject to the requirements at 50 CFR Part 660 and the requirements of the WCPFC management measures are required to submit the existing transshipment form, as well as the Pacific Transshipment Declaration Form.

Under existing regulations, each time a vessel licensed under the Treaty enters or exits the waters under the jurisdiction of a Pacific Island Party (i.e., a Pacific Island nation that is a party to the Treaty), a report must be submitted to that Pacific Island Party that includes information that is similar to the information that is required in the notice of entry or exit for the Eastern SMA. However, because the report to the Pacific Island Party is submitted to a different entity and requires the inclusion of different information, NMFS has determined that with this collection, both the report and the notice of entry or exit for the Eastern SMA are required to be submitted by vessels that are licensed under the Treaty and that enter or exit the covered areas.

The purse seine discard reporting requirement, which applies only to purse seine vessels, will overlap with an existing reporting requirement at [50 CFR § 300.34\(c\)\(1\)](#) for vessels licensed under the Treaty. The existing requirement to maintain and submit “catch report forms,” also known as “Regional Purse Seine Logsheets” or “RPLs”, calls for information on fishing effort and catches, including information on the amount of fish, by species, that is discarded each day, including the reason for each such discard. The timing and recipients of the existing reports differ in some respects. The report must be submitted to the WCPFC and to NMFS within 48 hours after each discard event, with a hard copy provided to the observer on board the vessel. The existing report must be submitted to and received by NMFS within two days after the vessel next reaches port. In addition, it must be submitted to the Treaty Administrator (currently the Pacific Islands Forum Fisheries Agency) within 14 days after the vessel next reaches port. Furthermore, the existing report must be sent on a particular form that is specified under the Treaty and cannot be changed in U.S. regulations unless and until the Treaty is amended accordingly. Because of these differences, the requirement not only overlaps with the existing requirement but duplicates it to a large extent, unless and until the Treaty is amended in such a way that the duplication can be removed.

Under existing regulations, owners and operators of vessels licensed under the regulations ([50 CFR § 300.34\(c\)\(1\)](#)) implementing the South Pacific Tuna Treaty (Treaty) must maintain and submit “catch report forms”, also known as “Regional Purse Seine Logsheets” or “RPLs”, which includes information on whether or not a FAD set was made. Thus, the daily FAD report element of this collection would duplicate one aspect of an existing information collection. However, NMFS does not receive the logbook information until after the vessel returns to port, which is too late for the purpose of estimating and projecting FAD sets in a timely and reliable manner, so the duplication is necessary.

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

Most of the fishing operations subject to this collection of information are considered small businesses. Efforts have been made to avoid duplication in reporting requirements and all data

collected have been deemed necessary by the Contracting Parties to the Convention, including the United States.

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

If the information is not collected, the U.S. government would not meet its obligations as a Contracting Party to the Convention and a member of the WCPFC, and would consequently fail to satisfy the provisions of the WCPFCIA. These requirements are based on the recognition that unregulated and unreported transshipments of catches of HMS at sea contribute to inaccurate reporting of catches of such stocks and supports IUU fishing activities, that monitoring vessel activity in the Eastern SMA can also reduce IUU fishing, and that data regarding the implementation of the purse seine catch retention requirement are needed. The lack of transshipment data from the U.S. HMS fleets operating in the Convention Area and the lack of discard data for the U.S. purse seine fleet would provide a disincentive to the other fishing nations in the region to provide accurate transshipment data and purse seine discard data for their fleets. Without this collection, information regarding U.S. vessels in the Eastern SMA would be limited to NMFS' and the WCPFC's VMS data. Thus, the effective management of the fishery resources under the WCPFC would be compromised. Without the daily FAD report element of this collection, the U.S. government would not be able to estimate and project the number of annual FAD sets by U.S. purse seine vessels in the Convention Area in a timely and reliable manner, thereby making it difficult to determine when the FAD set limits mandated by the WCPFC have been reached and to prohibit FAD setting when they have been reached.

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 except that the transshipment report, notice of high seas transshipment or emergency transshipment, pre-trip notification for observer placement, notice of entry or exit for the Eastern SMA, purse seine discard reports, and daily FAD reports will be completed for each relevant activity and as such, more frequently than quarterly. This frequency of information collection is mandated by the decisions of the WCPFC and has been determined to be necessary to ensure compliance with its conservation and management measures.

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.

RIN 0648-BA85 implemented the transshipment report, notice of high seas transshipment or emergency transshipment, pre-trip notification for observer placement, notice of entry or exit for the Eastern SMA, and purse seine discard reports elements of the collection.

RIN 0648-BE36, when effective, will implement the FAD report element of the collection. NMFS received comments from two entities on the proposed rule. One comment pertained specifically to the collection of information, and was in support of the 24 hour FAD reporting requirement. NMFS responded by acknowledging the supportive comment.

Comment 1: The proposed action is important, powerful, and will prove beneficial, and will help keep the catch of highly migratory species sustainable. The 24-hour FAD reporting requirement is a good idea. One question/concern is whether fishermen should be given more than 7 days' notice before the use of FADs is prohibited. Would more advance notice help reduce the use of FADs because fishermen could come up with alternative fishing methods? Or would the additional time to think about alternative methods increase fishing rates on HMS to an unacceptable level?

Response: NMFS acknowledges the supportive comments. With respect to the Federal Register notice that NMFS would issue in advance of prohibiting FAD sets and other uses of FADs in the event the FAD set limit is expected to be reached, the primary intent of the notice is to give fishermen sufficient time to prepare for the impending prohibitions, to help ensure they are able to fully comply with them. NMFS expects that affected fishermen will think about and plan for alternative fishing methods and activities before the notice is issued, so NMFS does not believe that the length of the advance notice would have a marked influence on fishermen's behavior, such as the extent of fishing on FADs or fishing rates more generally.

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

No payment or gifts to respondents are provided.

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, information submitted to NMFS will be managed as confidential data, as appropriate, consistent with the requirements of [NOAA Administrative Order 216-100, Section 506\(d\)](#) of the WCPFCIA, and regulations under 50 CFR Part 300. Transshipment information, discard information, entry and exit information, and information on FAD sets will be safeguarded from improper access, modification, or destruction, to a degree commensurate with the risk and magnitude of harm that could result from the loss, misuse, or unauthorized access to or modification of such information. However, NOAA and NMFS have no direct control over the confidentiality policies and practices of the WCPFC, so once the information is transmitted to the WCPFC, NMFS and NOAA cannot provide any assurance of confidentiality. Although the WCPFC does have policies and procedures in place to control the dissemination of sensitive data, such policies and procedures are not necessarily the same as those of 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.

No questions are asked of a sensitive nature.

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

This collection of information contains the following six elements: (1) transshipment reports; (2) notice for high seas transshipment or emergency transshipment; (3) pre-trip notification for observer placement; (4) notice of entry or exit for Eastern SMA; (5) purse seine discard report; and (6) daily FAD reports. Vessels of the United States from the following major fishing sectors will be affected by the required information collection: purse seine, longline, and troll. **The total estimated number of vessels that will be subject to this collection of information is 236** (40 purse seine, 170 longline, and 26 troll), based on the number of longline vessels permitted to fish under the Fishery Ecosystem Plan for Pacific Pelagic Fisheries of the Western Pacific Region or the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species as of January 2011, the number of purse seine vessels licensed under the Treaty as of January 2014, and the average annual number of albacore troll vessels that fished in the Convention Area during 2002-2009.

The number of total estimated responses for all U.S. fleets for this collection of information is 11,228 with a total estimated annual burden of 2,350 hours.

(a) Transshipment Report:

NFMS estimates the time needed to complete and submit the Pacific Transshipment Declaration Form to be approximately 60 minutes per response. It is estimated that there will be 322 responses per year. Estimated annual responses are broken down as follows: (1) 259 purse seine transshipments, which is based on the average annual number of purse seine transshipments that took place within the Convention Area between 2008 and 2009; (2) 24 longline transshipments, which is based on the average annual number of longline transshipments that took place within the Convention Area between 1993 and 2009; (3) 39 troll transshipments, which is based on the average annual number of transshipments that took place within the Convention Area between 1990 and 2009.

Total estimated responses per year: 322 transshipments/yr x 1 response/transshipment = 322

Total estimated burden per year: 322 responses/yr x 60 min/response = 322 hours

(b) Notice for High Seas Transshipment or Emergency Transshipment:

NFMS estimates the time needed for vessel owners/operators to submit notice for high seas transshipment or emergency transshipment to be approximately 15 minutes per response. U.S. purse seine vessels are currently prohibited from conducting transshipments on the high seas (50 CFR 300.216(b)), so notices for that fleet will only need to be given in the case of an emergency transshipment. For the purpose of this Supporting Statement, it is projected that the purse seine fleet may require up to 5 emergency transshipments per year, for a total of 5 responses per year. Assuming that longline transshipments generally take place on the high seas (data are unavailable to indicate the location of past transshipments, but anecdotal information suggests that the majority of transshipments take place at sea) it is estimated that the longline fleet will submit a total of 24 responses per year. It is estimated that troll vessels will conduct an average of 39 transshipment operations per year, all of which take place on the high seas, for an estimated 39 responses per year.

Total estimated responses per year: 68 transshipments/yr x 1 response/transshipment = 68
Total estimated burden per year: 68 responses/yr x 15 min/response = 17 hours

(c) Pre-trip Notification for Observer Placement:

NMFS estimates the time needed for vessel owners/operators to submit notice for observer placement to be 1 minute per response. Under the existing requirements at 50 CFR 300.216, U.S. purse seine vessels are prohibited from transshipping at sea in the Convention Area, so no transshipment observers will be needed and no responses are expected. Based on historical transshipment patterns, about 12 responses per year are expected from vessels in the longline fleet. Existing regulations under 50 CFR 665.803(a) require U.S. longline vessels to provide notice to the NMFS Pacific Islands Regional Administrator at least 72 hours (excluding weekends and Federal holidays) before the vessel leaves port on a fishing trip that takes place within the U.S. EEZ. It is expected that vessel owners/operators will use those currently required notices as an opportunity to provide this notification. Consequently, it is estimated that this pre-trip notification will require only an additional 1 minute per response, on average, for vessels in the longline fleet. For the troll fleet, it is expected that all transshipments at sea would be made to foreign-flagged receiving vessels that would be required to carry observers – that is, that the offloading troll vessels would not have to carry observers under this requirement, and that this collection would place no additional burden on the troll fleet.

Total estimated responses per year: 12 transshipments/yr x 1 response/transshipment = 12
Total estimated burden per year: 12 responses/yr x 1 min/response = 12 minutes (rounded up to 1 hour).

(d) Notice of Entry or Exit for Eastern SMA:

NMFS estimates the time needed for vessel owners/operators to submit notice for entry into or exit from the Eastern SMA to be approximately 15 minutes per response. Based on vessel location data from recent years, about 6 responses per year are expected from longline vessel owners/operators, 4 responses from purse seine owners/operators, and 4 responses from troll owners/operators.

Total estimated responses per year: 14 entries or exits/yr x 1 response/entry-or-exit = 14
Total estimated burden per year: 14 responses/yr x 15 min/response = 3.5 (4) hours

(e) Purse Seine Discard Report:

NMFS estimates the time needed to complete and submit the U.S. Purse Seine Discard Form to be approximately 30 minutes per response. Based on discard data for 2008, the last year for which complete data are available, an estimated 612 responses per year are expected from purse seine owners/operators.

Total estimated responses per year: 612 discards/yr x 1 response/discard = 612
Total estimated burden per year: 612 responses/yr x 30 min/response = 306 hours.

(f) Daily FAD Report:

NMFS estimates the time needed to complete and submit a daily FAD report to be approximately 10 minutes per response. Based on the average number of days at sea by vessels in the U.S. WCPO purse seine fleet in 2010 and 2011, the last two years for which complete data are available, an estimated 10,200 responses per year are expected from purse seine vessel owners/operators.

Total estimated responses per year: 10,200 days-at-sea/yr x 1 response/day-at-sea = 10,200
Total estimated burden per year: 10,200 responses/yr x 10 min/response = 1,700 hours

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).

(a) Transshipment Report:

Owners and operators of vessels responsible for submitting the Pacific Transshipment Declaration Form will have the option to fax or email the form without signatures for transshipments on the high seas or emergency transshipments, but the original, signed paper form must be submitted to the NMFS Pacific Islands Regional Administrator in all cases. The estimated cost to respondents for electronic communications, postage, and photocopying is \$1.00 per response. At 322 expected responses per year, the total estimated cost is **\$322 per year**.

(b) Notice for High Seas Transshipment or Emergency Transshipment:

Notice for high seas or emergency transshipment must be provided by fax or email. The estimated cost to respondents for electronic communications is \$1.00 per response. At 68 expected responses per year, the total estimated cost is **\$68.00 per year**.

(c) Pre-trip Notification for Observer Placement:

The estimated cost for the pre-trip notification for observer placement is \$1.00 per notification, which will generally be made by telephone. At 12 expected responses per year, the total estimated cost is **\$12.00 per year**.

(d) Notice of Entry or Exit for Eastern SMA:

Notice of entry or exit for the Eastern SMA must be provided by fax or email. Estimated cost to respondents for electronic communications is \$1.00 per response. At 14 expected responses per year, the total estimated cost **\$14.00 per year**.

(e) Purse Seine Discard Report:

Owners and operators of vessels responsible for submitting the U.S. Purse Seine Discard Form will fax or email the form directly to the WCPFC Executive Director and fax or email the form to NMFS. A hard copy of the form will have to be provided to the observer on board the vessel. The estimated cost to respondents for electronic communications, postage, and photocopying is

\$1.00 per response. At 612 expected responses per year, the total estimated cost is **\$612 per year**.

(f) Daily FAD Report:

Owners and operators of vessels responsible for submitting daily FAD reports will email the information directly to NMFS or submit it by other electronic means. The estimated cost to respondents for electronic communications is \$1.00 per response. With an expected 10,200 responses per year, the total estimated communications cost is **\$10,200 per year**.

Total Cost: \$11,228 per year.

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 estimated to be \$8,100. This includes: (1) the cost of printing the Pacific Transshipment Declaration Forms and U.S. Purse Seine Discard Forms, estimated at \$120 per year (1,000 responses x \$0.12 per form); (2) the cost of processing (receiving and entering data into database) all Pacific Transshipment Declaration Forms, notices of high seas transshipments and emergency transshipments, pre-trip notifications for observer placement, notices of entry into or exit from the Eastern SMA, and U.S. Purse Seine Discard Forms, estimated at \$4,580 per year (916 responses x 15 min/response x \$20/hr in labor costs); and (3) the cost of processing (receiving and entering data into database) all daily FAD reports, estimated at \$3,400 (10,200 responses per year (x 1 min/response x \$20/hr in labor costs).

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

Program Change: Due to the new FAD reporting requirement, 10,200 responses, 1,700 hours and \$10,200 will be added to the existing totals.

Adjustment: For the pre-trip notification, the 12 minutes has been rounded up to 1 hour, in order to register as burden in ROCIS.

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 WCPFC will use the data primarily in aggregated, non-confidential format. 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.