

**JUSTIFICATION FOR CHANGE  
SOUTH PACIFIC TUNA ACT  
OMB CONTROL NO. 0648-0218**

This change request is associated with a final rule (RIN 0648-BD44). The rule affects the information requirements and associated burden for the catch report form element of the currently approved collection of information under the South Pacific Tuna Act (OMB Control No. 0648-0218). There were no comments regarding the information collection requirements, in response to the proposed rule.

The rule would modify the existing information required on the catch report form to include specific information in the event that a whale shark is encircled in a purse seine net in the area of application of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention Area). The additional required information would be detailed in an instruction sheet provided by the NMFS Pacific Islands Regional Administrator to owners and operators of U.S. purse seine vessels licensed under the South Pacific Tuna Treaty and would consist of the following: (1) the number of whale sharks encircled in a given set; (2) a brief description of any conditions or circumstances that might have led to the encirclement; (3) a brief description of the steps taken to ensure safe release of the whale shark(s); and (4) whether each of the animals was alive or dead upon release. The existing catch report form would remain unchanged and the instruction sheet would specify the format in which the new information must be recorded on the existing catch report form. In the event that a whale shark encirclement occurs, the rule would require respondents to add the above information to the existing catch report form.

The burden of this additional information would be borne by respondents only in the event that a whale shark becomes encircled in a purse seine net in the Convention Area. In that event, the additional burden is estimated at 10 minutes per encirclement. While it is not possible to project the rate of whale shark encirclements with certainty, approximately one encirclement is expected per vessel per year. The existing reporting burden for the catch report form is estimated at 60 minutes per response (i.e., per fishing trip), with each respondent averaging 5 responses (i.e., fishing trips) per year. Estimating an additional 10 minute response time for 1 of every 5 expected responses, the additional burden associated with this rule would be 2 minutes per response, on average, bringing the total estimated reporting burden per response from 60 minutes to 62 minutes, on average, for the catch report form element of this information collection. Because responses would continue to be provided on the existing catch report form, this change would not bring any additional communication or other costs.

**Total added burden for the catch report form: 2 min x 5 responses x 40 respondents = 6.67 (7) hours.**