

**SUPPORTING STATEMENT
HIGHLY MIGRATORY SPECIES VESSEL LOGBOOKS AND COST-EARNINGS
DATA REPORTS
OMB CONTROL NO. 0648-0371**

A. JUSTIFICATION

This request is for an extension of this information collection. The legislative authorities to collect data from the various sectors of the economy that harvest marine resources in the exclusive economic zone are the [Magnuson-Stevens Fishery Conservation and Management Act](#) (Magnuson-Stevens Act) and the [Atlantic Tunas Convention Act](#) (ATCA). Under this dual authority, the Secretary of Commerce has promulgated rules that require specific types of recordkeeping and data submissions.

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

Logbook forms

This program is necessary to allow the National Marine Fisheries Service (NMFS) to manage Atlantic highly migratory species (HMS) consistent with legal mandates in the Magnuson-Stevens Act, the Atlantic Tuna Conventions Act (ATCA), and the [National Environmental Policy Act](#) (NEPA). Without the information collected through this mandatory logbook program, NMFS will not have the information needed to conduct stock assessments, monitor fishery quotas, or prevent overfishing.

In 1999, NMFS issued a Fishery Management Plan for Atlantic Swordfish, Sharks and Tunas (1999 HMS FMP), an amendment to the FMP for Atlantic Billfish (Billfish FMP Amendment), and re-issued HMS regulations in a consolidated form at [50 CFR part 635](#). In implementing the 1999 HMS FMP and the Billfish FMP Amendment, NMFS undertook a comprehensive approach to data collection for all HMS fisheries and modified the HMS regulations to provide authority to expand the logbook program to all selected HMS permit holders. While this was already required for shark and swordfish vessels and tuna vessels that harvest swordfish and sharks, it was not required for tuna vessels that used gear types other than longline (e.g., rod and reel, harpoon, purse seine) or for charter/headboats. To improve data collection on fishing effort and catch in the tuna fisheries, NMFS may select ten percent of all permitted tuna vessels for the logbook reporting program including a portion from all gear categories. Additionally, charter/headboat vessels fishing for HMS may be selected for the logbook program. The 1999 HMS FMP and Billfish FMP Amendment were consolidated in 2006 (2006 Consolidated HMS FMP), and these data collection requirements were maintained. NMFS proposes to continue to maintain these selection rates; however, any selected tuna vessels or HMS charter/headboats already reporting through the Northeast Regional Logbook Family of Forms (OMB Control No. 0648-0212) or the Southeast Region Logbook Family of Forms (OMB Control No. 0648-0016) could continue to use those logbooks to meet the HMS requirement.

Under [50 CFR part 635.5](#), selected vessel operators are required to complete logbook forms within 48 hours of a set and submit the forms no later than the seventh day after the sale of the off-loaded catch from a trip. Selected vessels include all shark, swordfish, charter/headboats, dolphin/wahoo, and approximately 10 percent of all non-longline tuna vessels. The forms

submitted consist of a fishing report (catch, discards, effort and fishing area data) or a no-fishing report if no fishing took place during the monthly reporting period. The 48-hour completion deadline requirement results in more timely and accurate reporting of catch and bycatch in HMS fisheries. It also facilitates enforcement of catch restrictions both at sea and at the dock. The annual number of trip summary reports and no-fishing reports expected from each respondent was calculated during the previous extension of this information collection through an analysis of average number of trips per permit in each fishery (see Table 1 for the expected number of trip summary reports with catch, trip summary reports without catch, and no-fishing reports). This estimate remains unchanged. Although the number of respondents has changed (due to the increase in valid permits), fishing behaviors and techniques, including annual number of trips, are unlikely to have changed.

The United States (U.S.) fisheries that fish directly and indirectly for Atlantic tunas, sharks, swordfish, and billfishes that are impacted by the 2006 Consolidated HMS FMP record-keeping requirements are as follows:

- For-hire Charterboats
- For-hire Headboats
- Longline Vessels
- Private/Recreational Angling Vessels
- Commercial Handgear Vessels
- Purse Seine Vessels
- Harpoon Vessels
- Gillnet Vessels
- Vessels using other gear

In addition to use for HMS fisheries, the HMS logbook is also used to report catches of dolphin and wahoo by commercial and charter/headboat fisheries.

The logbook package is distributed to all selected vessels. The logbook collects the following information: name and address of owner; vessel name and permit number; fishing location; gear; measures of effort; and number and disposition of catch (discarded-dead, alive, tagged, or kept) for each HMS caught. Information on the number and size is used to assess total and average weight of the target species being harvested. The effort expended allows estimation of catch per unit effort (CPUE), a crucial component of scientific stock assessments. Additionally, information on discards is needed to account for total mortality and to evaluate bycatch reduction efforts required under the Magnuson-Stevens Act.

There are several forms used to report catch and effort data. A set form is provided for the fishermen to record and submit the catch and effort information for daily trips or, as applicable, for sets (deployment and retrieval of gear as for nets, longlines). To provide the information on the entire trip, fishermen are provided a trip summary form (combined with cost-earnings form). This form eliminates the need to record certain information that is redundant for every set or day of the fishing trip, (e.g., the start and ending dates for the trip, the unloading site, etc.)

The HMS reporting regulations also require fishermen to include a copy of the unloading weigh-out slips (e.g., tally sheet) for each trip where fish are sold. This receipt is provided by the seafood dealer as a normal business practice and does not constitute any additional reporting

burden. However, because each species is weighed individually and the individual weights are listed on the tally sheet, these sheets provide the size frequency data that are a fundamental part of a stock assessment for these species. A very costly on-site sampling program to collect the same size frequency data would be necessary if the tally sheets were not provided.

This logbook program supplements data that are collected in the NMFS Marine Recreational Information Program (MRIP), which coordinates recreational fisheries surveys and includes the For-Hire Survey (FHS), the Large Pelagic Fishing Survey (LPS) (OMB Control No. 0648-0380), the Highly Migratory Species Recreational Landings Reports (OMB Control No. 0648-0328), the Recreational Billfish Survey (RBS) (OMB Control No. 0648-0323), and the Highly Migratory Species Dealer Reporting Family of Forms (OMB Control No. 0648-0040). Each of these programs is discussed in detail below in relation to each of the applicable fisheries.

For-Hire Charterboats (All HMS)

Offshore fishing trips targeting highly migratory species typically make up a relatively small proportion of all recreational fishing trips. Since catching HMS on recreational fishing trips is a “rare event,” generalized angler surveys aimed at estimating catch and effort for all species do not produce very precise estimates for many highly migratory species. In such cases, specialized surveys such as the Large Pelagics Survey (LPS) or other data collection approaches (e.g., catch card programs) are needed to achieve the desired level of statistical precision. The LPS was specifically designed to collect information on recreational fishing directed at highly migratory species (e.g., tunas, billfishes, swordfish, and sharks). This specialization has allowed higher levels of sampling needed to provide more precise estimates of pelagic fishing effort and catches of highly migratory species. At present, however, the LPS are conducted only from Maine through Virginia. The Marine Recreational Information Program (MRIP) is aimed at improving recreational fishery survey methods for all species nationwide. Specific objectives of MRIP for HMS are to 1) assess the statistical design and effectiveness of HMS data collection programs, 2) develop new data collection methodologies as needed, and 3) expand the geographic, temporal, and species scope of HMS data collection efforts to meet management and science needs. Completed MRIP HMS projects include characterization studies of HMS recreational fisheries in Puerto Rico, the South Atlantic and the Gulf of Mexico, an evaluation of HMS tournament sampling, and HMS private boat and charter boat surveys.

The Highly Migratory Species Recreational Landings Reports collect data on total landings of recreationally-caught (e.g., not sold) bluefin tuna, blue marlin, white marlin, roundscale spearfish, sailfish, and swordfish. Although this reporting requirement is an integral part of the recreational monitoring system, compliance rates are low; therefore, it has not replaced traditional survey methods for data collection in the recreational fishery.

In many fisheries, catch per unit of effort (CPUE) measures provide an important indication of stock size. Because charter vessels participate extensively in HMS fisheries, it is critical that effort and CPUE data be provided in order for a comprehensive stock assessment to be prepared. CPUE data for this sector of the fishery has provided time series data to calculate an index of abundance for several HMS, and has been an integral part of the stock assessments for these species. Due to concern about respondent burden, the aforementioned survey techniques do not collect all data elements that might help to standardize effort and CPUE indices, yet they are the sole source of information at this time.

The charter logbook collects information similar to that currently collected from the billfish tournament reporting form and the pelagic logbook used for commercial gear. Vessels are notified in writing if they have been selected to complete the HMS logbook. NMFS is evaluating the use of logbook data from charterboats, rather than survey data, for use in stock assessments, and findings from recent studies are published in the annual [Atlantic HMS Stock Assessment and Fishery Evaluation \(SAFE\) Report](#).

For-Hire Headboats (All HMS)

Headboat fishing is generally considered recreational fishing for HMS, and like the charterboat sector, the logbook program collects CPUE data from this small and specialized sector of the recreational fishing industry. However, an HMS Charter/Headboat permit is also considered a commercial permit for Atlantic tunas because the owner/operator is allowed to sell any tuna caught, subject to catch regulations. Total catch and effort for all HMS headboat fishing activities are collected from the headboat logbook program. The need for good quality, representative CPUE and species composition data from this sector of the recreational fishery is the primary reason that this logbook program was implemented. The headboat logbook is used to collect information similar to that of the charter logbooks which are described above, and findings from recent studies can be found in the HMS SAFE Report.

Longline Vessels (Tuna, sharks, swordfish)

The objective of the logbook program for this fishery is to provide detailed, comprehensive data on catches, discards, effort and fishing location for fishermen that catch HMS, either as the primary (e.g., target) species or as incidental catch. The data collected are an integral part of stock assessments for HMS. Because the variability in the amount of catches between longline sets is significant, scientists need the data recorded for individual sets. This includes vessels in the shark and swordfish fisheries along with the Atlantic tuna fishery. All permit holders are selected; NMFS provides all materials necessary for reporting.

Private/Recreational Vessels (Tunas only)

NMFS currently conducts statistical surveys of portions of the recreational fisheries. The primary survey vehicles of the recreational sector conducted by NMFS are the MRIP surveys and the LPS. In addition, census data on landings of bluefin tuna are obtained through the Atlantic HMS Recreational Reporting program (see charter vessel discussion). MRIP also includes a National Saltwater Angler Registry. Anglers either register directly on the MRIP webpage, or are automatically registered in the MRIP Registry by their home states when purchasing a state fishing license. HMS permit holders are exempt from registering; however, others fishing on the boat must still register or get the state license, if required. The LPS was originally designed to estimate the annual recreational catches of bluefin tuna from Virginia through Maine, and the LPS collects catch information on other HMS at certain times and in certain areas.

The purpose of the HMS logbook is to provide detailed, comprehensive data on catches, landings, discards, effort and fishing location from fishermen that target HMS. Ten percent of current recreational tuna permit holders may be chosen at random to complete the logbook for one season. Selection will be stratified by geographic area and permit type (Atlantic HMS Angling and Atlantic Tunas General category). Those chosen will be notified by NMFS prior to

the season opening. NMFS also provides all materials necessary for reporting. The logbook supplements and enhances the information from the surveys discussed above.

Commercial Handgear Vessels (Tunas and Swordfish)

Commercial handgear vessels include the Swordfish Handgear limited access permit holders, Tunas General category permit holders, the Swordfish General Commercial permit holders, and HMS Charter/Headboat permit holders when fishing commercially under the same regulations as the Tunas and Swordfish General commercial permits. The Swordfish General commercial permit was newly created in 2014 (OMB Control No. 0648-0327, Atlantic HMS Permit Family of Forms, 0648-BC31) and allows the permit holders to retain a limited number of swordfish in the Gulf of Mexico, Caribbean, and north of Cocoa Beach, FL along the U.S. Atlantic coast. Up to ten percent of the Tunas and Swordfish General commercial permit holders may be selected for logbook reporting, which would be useful for examining the resource utilization and economic effects that an open-access commercial permit for swordfish has had on the swordfish fishery.

Purse Seine Vessels (Tunas only)

The objective of the logbook program for the purse seine fishery would be to provide detailed, comprehensive data on catches, discards, effort and fishing location from fishermen that catch HMS as a target species. This data would supplement and enhance the data currently collected through dealer landing reports. The ALRS, LPS, MRIP, and FHS do not apply to purse seine vessels.

Harpoon Vessels (Tunas, Sharks, Swordfish)

The HMS logbook program would enable NMFS to more accurately monitor the harpoon fishery by collecting information pertaining to the species targeted and effort expended. At this time, information from Harpoon category vessels is not used to calculate CPUE because some of the needed data are not available. Detailed logbook information would enhance NMFS' ability to create a CPUE index by enabling standardization of effort. The LPS, MRIP, and FHS do not apply to harpoon vessels.

Gillnet Vessels (Sharks)

The objective of the logbook program for this fishery is to provide detailed, comprehensive data on catches, discards, effort and fishing location from fishermen that catch shark as the primary (e.g., target) species. The data collected are an integral part of stock assessments for HMS because the variability in the amount of catches between drift gillnet sets is significant and scientists need the data recorded for individual sets. This collection affects vessels in the directed shark fishery. The LPS, MRIP, and FHS do not apply to shark gillnet vessels.

Indications from several stock assessments are that many shark species are being overfished. CPUE and good data on total effort will greatly assist NMFS to further manage these stocks. Logbook data also provide better data on the catches of individual species of sharks. Prior to the implementation of the logbook program, landings (purchase) data that were reported by seafood dealers were the only data available on the quantity of sharks that were being harvested.

Landings data are usually reported by generic categories (e.g., “sharks”), and not by individual species. Thus, logbooks provide better data on species composition.

Dolphin/Wahoo Commercial and Charter/Headboat

Prior to 2004, there was no federal permit and, therefore, no attendant reporting requirements for dolphin and wahoo. Logbooks are a source of comprehensive and accurate data necessary for estimating fishing mortality. Without sufficient data, it was difficult to determine the stock status of dolphin and wahoo. Some data were available because some vessels reported dolphin and wahoo if the vessel held another federal permit, such as the South Atlantic snapper-grouper, king mackerel, or swordfish permits. Some commercial fishermen that specifically targeted dolphin and wahoo did not have any federal permits and were not reporting catches of dolphin and wahoo. These fishermen probably have a higher CPUE than fishermen that catch dolphin and wahoo incidentally with other species, which made it important to collect the CPUE data from the fishermen catching, but not reporting, their fishing activity for dolphin and wahoo.

After 2004, with the implementation of the federal dolphin/wahoo permit, all vessels targeting dolphin/wahoo were required to submit a logbook. Dolphin/wahoo permit holders that do not hold any other type of federal permit are required to report their catch in the HMS logbook; otherwise, they may report through the mechanism specified under their non-HMS permit. The HMS logbook was selected to minimize the number of federal logbooks and dolphin and wahoo were already listed in the HMS logbook. Those vessels already reporting in another federal logbook do not have any additional reporting burden as long as the dolphin and wahoo catches are recorded in the other federal logbook.

Cost-earnings form

Owners and operators of vessels with federal permits for highly migratory species (tunas, swordfish, and sharks) must maintain and submit a trip expense and earnings report within 30 days of completing the fishing trip, if selected to do so. The information on the cost-earnings form is used to calculate the revenues spent and on what products for a trip, and calculate the profits of a trip and how those profits were dispersed. The price and amount of fuel, bait, lightsticks, ice, and groceries used per trip, the total cost of the trip, the number of crew, and the shares the owner, captain, and crew obtained from the trip. For charter/headboats, required information could include the number of passengers, the total fare receipts, and total costs for consumer goods and concession goods. NMFS would continue collecting economic data through an Annual Expenditures Form, which is mandatory for selected vessels.

Mandatory submission of the economic data is needed to accurately assess the economic impacts of proposed fishery management regulations on fishermen and their communities as required by NEPA, [Executive Order 12866](#), the [Regulatory Flexibility Act](#) (RFA), and National Standards 7 and 8 of the Magnuson-Stevens Fishery Act. When cost-earnings reporting was initiated in 1996, there was a relatively high voluntary response rate (approximately 24 percent of all trips); however, in one year, the overall response rate fell to approximately 11 percent. In 1999, the overall response rate was approximately 10 percent. Additionally, analysis of the data revealed that self-selection resulted in an uneven data collection, with little to no information existing for some areas and much information for other areas. In summary, a voluntary program resulted in a data collection that could not be used to represent all segments of the fleet.

Mandatory collection of trip-specific cost-earnings data was implemented in 2002 on a trip level and annual level. Overall, trip level economic data improves estimates of profitability and cash flow; necessary elements for the regulatory impact analyses required by Regulatory Flexibility Act (RFA) and Executive Order (E.O). 12866. In addition, it improves estimates of the net benefits associated with different fishing areas, which is crucial for assessing effects of area and seasonal closures on fishermen. This economic information allows NMFS to better achieve resource conservation goals while mitigating economic impact on the fishermen, the vessel services sector, and dependent communities.

Additional impetus for mandatory economic data collection has resulted from the Small Business Regulatory Enforcement and Fairness Act of 1996, which amended the RFA to make compliance with the analytical requirements subject to judicial review, and the subsequent revision of NMFS' guidelines for economic analysis of fishery management actions, which focuses on the profitability of firms over both the short- and long-term. Analyses that can fully withstand legal challenges can only be performed with representative firm-level economic data.

For some data, it is not necessary to collect information on a per-trip basis. Thus, the Annual Expenditures Form includes information such as the cost of repairs and maintenance, all fishing supplies, insurance, purchase of capital, boat dockage, loan payments, and business taxes. This information was removed from the trip summary form and included on an Annual Expenditures Form in 2002.

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 information requested in logbooks is used by various offices of NMFS, Regional Fishery Management Council staff, the U.S. Coast Guard, and state fishery agencies under contract to NMFS to develop, implement, and monitor fishery management strategies. Analyses and summaries of logbook and cost-earnings data are used by NMFS, the Regional Councils, the Departments of State and Commerce, OMB, the fishing industry, Congressional staff, and the public, to answer questions about the nature of fisheries resources. Information on endangered species or marine mammals and their incidental take is required from those fisheries where such interactions are likely to occur. These data help NMFS meet requirements under the [Marine Mammal Protection Act](#) and the [Endangered Species Act](#), and to respond appropriately.

The data will serve as input for a variety of analyses, such as: biological opinions and stock assessments; E.O. 12866 regulatory impact analyses; quota and allocation selections and monitoring; economic profitability profiles; trade and import tariff decisions; and identification of ecological interactions among species.

The logbook evolved as a means of collecting data from specific user groups within fisheries that are managed under federally implemented FMPs. For HMS, the Southeast Fisheries Science Center (SEFSC) has the responsibility for both preparation of stock assessments (estimation of maximum sustainable yield and/or other indexes of biomass) and collection of the scientific data that are required to perform the assessments. A secondary data collection responsibility is to

provide information for HMS that is necessary to routinely monitor and evaluate the conditions in the fisheries under federal management.

Similar data elements are required for most of the logbooks, although a few variables may be specific to one fishery or type of management technique controlling harvest.

- a) Information such as name, signature, and address of operator and owner are used to identify the respondent and the legal entity controlling the fishing practices of the vessel. This latter requirement is essential in monitoring the compliance of the reporting requirement, where revocation of the operator permit or fines are involved. Because many vessels are owned by corporations, identification of owner and operator on the logbook form is necessary.
- b) Data on date of departure, date returned, days fished, duration of tows or sets, units of gear, and mesh size used are all designed to quantify actual fishing effort. Fishing effort is needed to standardize differences in productivity among vessels or fishing grounds by establishing a rate of catch per unit time. These data allow comparisons over time, area and gear type of catches made by a variety of harvesters. Comparisons of catch and CPUE over time are significant indicators of the biological status of the fisheries. Declining CPUE, especially if data on fishing effort are sufficiently detailed to adjust for changes in effort, can provide critical information on the status of the stock.
- c) Area fished, surface water temperature, and latitude and longitude are variables that are used to establish fishing locations. This information is related to other oceanographic and biological information to predict species availability and future abundance. For example, location of capture can be correlated to sea surface temperature measured by satellite to predict possible migration patterns. In addition, area or zone fished is used to cross reference locations where fishing is not permissible (such as closed areas).
- d) Species information such as landings, discards, and sizes of fish is the basic measure of fishing success from which fishermen, biologists, and economists make inferences about the status of the fishery. Landings information is also needed because controlling the quantity of fish harvested is often the means for ensuring that stocks can be replenished over time.
- e) Name of buyer, dealer number, and port of landing are data used to cross reference the quantity of fish caught with the quantity that is handled (processed) by the market. The important cross reference is between the total amount of catch, and the respective sizes of individual fish. It would be impossible for fishermen to measure individual fish as they are being caught and stored on board the vessels. However, many species of fish, especially the large pelagics, are individually weighed by the dealers and these weights are recorded as part of the sales transactions. By knowing the dealer that purchased the fish, cross references can be made between data submitted by the dealers and the data from the logbooks. Combining the data in this manner provides greater precision on the CPUE estimates and more information on the sizes of catches by location and time.
- f) Cost-earnings information is used by various NMFS economists, Regional Fishery Management Council staff, and state fishery agencies under contract with NMFS to develop, implement, and monitor fishery management strategies. These data are used to assess community impacts, conduct cost-benefit analyses, and, in particular, develop regulatory impact

analyses of proposed regulations as required by the RFA and suggested in NMFS' guidelines for economic analyses. Note that under the RFA definition, all fishing operations in HMS fisheries are defined as small entities.

The data elements collected on the cost-earnings trip summary form include variable trip costs (fuel, bait, ice, light sticks, groceries, etc.), total shared costs and total costs. The specific form and instructions are attached.

The data elements collected on the Annual Expenditures Form include fishing gear, repair and maintenance expenses, insurance, dockage, etc. The specific form and instructions are attached.

Although the information collected is not expected to be disseminated directly to the public, it may be used in the development or review of fishery management plans, and is therefore subject to NOAA's Information Quality Guidelines. NOAA Fisheries retains control over the information and safeguards it from improper access, modification, and destruction, consistent with NOAA 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.

Logbooks are mailed to permit holders annually. The SEFSC is currently in the development stages of the use of electronic logbooks, with the potential to link data to vessel monitoring systems (VMS); however, full implementation of this program is not expected for another two years. Since the cost-earnings forms are a relatively small part of a larger data submission, there will be no change/improvement in the reporting process at this time.

4. Describe efforts to identify duplication.

The Magnuson-Stevens Act operational guidelines require each FMP and regulatory amendment to evaluate existing state and federal laws that govern the fisheries in question, and the findings are made part of each FMP or regulatory amendment. Each Regional Fishery Management Council membership is comprised of state and federal officials responsible for resource management in their area. These evaluations enable NMFS to identify other collections that may be gathering the same or similar information. In addition, each FMP undergoes extensive public comment periods where potential applicants review the proposed information collection requirements.

Different surveys (FHS, LPS, HMS Recreational Reporting, etc., described in Question 1) were initially used to collect data from different people over different time frames. The programs serve different purposes, and although rare, some reporting overlap may occur to obtain the specialized information that each program provides. For example, FHS and LPS samplers both interview charter/headboat participants for total catch data, but LPS specifically targets HMS charter/headboat permit holders. The HMS Recreational Reporting program collects recreational

bluefin tuna, billfishes, and swordfish landings data, and does not incorporate other HMS (e.g., sharks and non-bluefin tunas) data; however, these vessel trips may also be reported in the FHS or the LPS.

Detailed information on CPUE and species composition by gear and area may be available from other sources. Some states have logbook programs to collect similar information as required in the federal HMS logbook. Anyone filling out state logbooks with similar data fields is not required to complete and submit a federal logbook under this collection. The state logbook would suffice in lieu of the federal logbook, although a copy of the state logbook would need to be submitted to NMFS.

Likewise, selected respondents who indicate that they are participating in other federal logbook programs under other FMPs are exempt from the requirements of this collection provided copies of the other logbook are submitted on a timely basis. The number of dolphin/wahoo permits in Table 1 (Question 12) reflect vessels that do not hold a federal permit for another federal fishery; therefore, these permit holders are not reporting in any other federal logbook.

Some owners of tuna vessels selected for logbook coverage may participate in the bluefin tuna fishery. Bluefin tuna landings must be reported through the automated landings reporting system (ALRS), a part of the HMS Recreational Reporting program, approved under OMB Control No. 0648-0328; thus, there would be some duplication. However, the ALRS report is limited to landings of bluefin tuna while the logbook would collect information on fishing effort and catch of all species. Therefore, the level of duplication would be extremely small and is warranted due to the need to collect real-time harvest information for bluefin tuna. Billfish landings, also reported under the HMS Recreational Reporting program, are monitored quarterly for compliance with an ICCAT-recommended landings limit of 250 marlin per year. The Recreational Billfish Survey, LPS, and HMS Recreational Reporting data are analyzed to identify and remove duplicative reports during quarterly reviews.

Trip expense data are not being collected by another state or federal office for any gear group included in the HMS fishery. To the extent that vessels with HMS permits are reporting via other federal fisheries logbooks (e.g., NE Multispecies OMB Control No. 0648-0212) and cost-earnings information is collected, vessel operators will be relieved of the duplicative requirements.

Individuals with an authorized exempted fishing permit are required to submit interim and annual reports for catches made while conducting the exempted activities. These catches must also be reported in the permit holder's logbook. This duplication in effort is necessary to monitor the exempted activities. The catches made while engaged in the exempted fishing activity must also be recorded in the logbook to accurately monitor the level of harvest for quota managed species.

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

All of the applicants are considered small businesses; therefore, separate requirements based on size of business will not be developed. Individuals participating in other federal fisheries with similar logbook requirements are not required to submit two logbooks. Likewise, state logbooks

with similar data fields would not be required to complete and submit a federal logbook under this collection. NMFS annually provides the permit holders with the HMS logbook at no additional cost. The burden to the permit holder is minimized by providing post-paid envelopes. The logbooks and cost earning forms are bound with carbon copies, so there are no photocopying costs associated with the record keeping requirements. The carbon copies allow the permit holder to keep a copy for their own financial records. Additionally, the individuals required to submit the cost-earning report are randomly selected; therefore, the same individuals may not need to submit the detailed cost-earnings information each year.

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

The consequence of not having information on level of effort, gear type used, number and species of fish kept, and number and species of fish discarded is to increase the uncertainty involved in managing HMS fisheries and the inability to comply with domestic and international obligations.

The consequence of not having a core set of economic data at the trip level is to increase the uncertainty associated with how fishermen will respond behaviorally to changes in regulations, fishing conditions, and/or market conditions. Moreover, without this information, it is impossible to assess the economic impacts from a proposed regulation or to select the policy alternative that achieves a management goal at the lowest possible cost to the fisherman. To accurately capture fishery behavior and assess economic impacts, it is necessary to have economic information at the trip level since fishing operations, choice of fishing grounds, gear modifications, and targeting and marketing strategies change over the course of the season due to changes in species abundance across fishing sites and market demand across seasons and regions. This is especially true for the HMS fisheries in which individual vessel activity may range throughout the Gulf of Mexico, Caribbean Sea, and off the Atlantic coast of Southeast, Mid-Atlantic, and New England states.

Another consequence of not having representative trip-level economic data could be judicial remand of conservation regulations challenged on grounds of inadequate analysis of economic impact to individual firms.

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

The reporting regulations require selected vessels to complete logbooks within 48 hours of making a set (or a trip for single day trips) and to submit all forms, except the cost-earnings form, no later than the seventh day after the sale of the catch off-loaded from a trip. It is critical that these data be timely. For fisheries that are significantly overfished and therefore subject to catch quotas, it is important to monitor fishing mortality. Also, the re-issuance of permits is predicated on compliance with the reporting requirements, and timely data are needed to determine whether fishermen are complying on a regular basis. Quality control of the logbook data is improved when the review and verification process is as close as possible to the actual time that fishing occurred.

The frequency of collection requirements for the cost-earnings form are the same under mandatory submission of the form as under the voluntary submission. It is necessary to collect this information more often than quarterly because trip-specific information is required and recall bias is a concern if the information is recorded long after the trip. The information requested is readily available at the end of each trip after the vessel is offloaded and settlement with the fish dealer is completed. Thus, selected fishermen will be required to submit the cost-earnings form 30 days after the catch is off-loaded from a trip. For information that is not readily available at the end of each trip, fishermen will be asked to submit an Annual Expenditures Form.

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 August 14, 2014 (79 FR 157 (47617)) solicited public comments. No comments were received.

Comments were also solicited from logbook users at a committee meeting including HMS fishery stakeholders in October of 2014. One vessel owner said that logbooks were simple and easy to fill out, and that data are being collected at the appropriate level (trips or sets). Another vessel owner indicated that, in the past, there has been some confusion about the number of logbook entries required for a trip, but that it was recently clarified.

The second vessel owner also described that submitting forms with final dressed weights within 7 days is difficult for fish that are offloaded in Canada because they are packed in ice and not fully dressed until they reach the dealer in the U.S. location.

Response: NMFS does accept, and always has accepted, late reports; however, in situations in which one or more reports have not been received at the time of permit renewal, the renewal is delayed until those reports are received.

Another comment was that, with the implementation of electronic dealer reporting in 2013, and the subsequent ability to monitor quotas more effectively, that the compliance reviews of logbook submissions should be based on a deadline of greater than seven days. These compliance reviews are being used in the Amendment 7 to the 2006 Consolidated HMS FMP, which, among other things, provides access to some fishing grounds on the basis of landings information and vessel compliance with regulations.

Response to comments: While the deadline for submitting these forms maintains burden on the vessel operators, it is still necessary for NMFS to effectively manage the fisheries involved, as previously described. In the future, this burden may be minimized by the implementation of the electronic logbook system that is currently in development.

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

There are no payments or other remunerations to respondents.

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

All data that are submitted to the NMFS are treated in accordance with [NOAA Administrative Order 216-100, Confidential Fisheries Statistics](#). It is Agency policy not to release confidential data, other than in aggregate form, as the Magnuson-Stevens Act protects (in perpetuity) the confidentiality of those submitting data. Whenever data are requested, the Agency ensures that information identifying the pecuniary business activity of a particular vessel is not identified. Further, data pertaining to landings that are released to the public are aggregated by time or location (e.g., monthly or regionally) in order to maintain the confidentiality of the fishermen with regard to their fishing behavior, as it is considered proprietary by some.

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 of a sensitive nature will be asked.

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

The number of permit holders in 2013 (34,655) was slightly less than the number of permits issued in 2011 (35,969) that were used to calculate the number of respondents in the 2011 renewal of this information collection. In 2014, a new permit, the Swordfish General Commercial permit was created. The Swordfish General Commercial permit may be issued as a stand-alone permit or as a combination permit with the Atlantic Tunas General category permit. To date, fewer than 100 of Swordfish General Commercial permits have been issued as stand-alone or combination permits. Based on the historical annual fluctuation of number of permits and permit types issued, and considering the addition of fewer than 100 Swordfish General Commercial permits, we are not proposing to change the number of respondents, as we feel the current number approved under this information collection best reflects an average between all permit types, and will be appropriate for burden estimation in the event that permit numbers increase again in the years that this renewal would be effective.

The estimated time to complete the cost-earnings data reports continues to be 30 minutes as was submitted previously for the last renewal of OMB Control No. 0648-0371. For some sectors, predominantly swordfish, tuna, and shark longline fishermen, the reporting burden estimate may be as high as 30 minutes per response. In other sectors, however, the reporting burden estimate could be significantly less. In the recreational Atlantic tuna fishery, for example, the burden is estimated at 10 minutes per trip because there is no labor information to be reported. Likewise, the estimated time to complete this form in the HMS charter/headboat fishery is estimated at 15 minutes because labor is typically salaried. However, because it is difficult to separate out those fishermen who use longlines and target tunas, swordfish, or sharks, NMFS submits a reporting

burden estimate of **30 minutes for all fishermen**¹. At a maximum, it should take 30 minutes to complete the cost-earnings data trip summary report. The annual number of trip summary reports and no fishing reports expected from each respondent was calculated during the previous extension of this PRA through an analysis of average number of trips per permit in each fishery (see Table 1 for the expected number of trip summary reports with catch, trip summary reports without catch, and no-fishing reports). This estimate remains unchanged, as fishing behaviors, including annual number of trips per fisherman, is unlikely to have changed.

NMFS will collect the cost-earnings data from a random selection of approximately 20 percent of the shark, swordfish, and charter/headboat fleet and may select 10 percent of the Atlantic Tuna and HMS Angling permit holders who may be selected to report in the catch report forms. This random selection of fishermen will be stratified across all statistical areas and based on information provided when renewing permits and reporting during the previous year in logbooks. In other words, fishermen who were not active or did not have an HMS permit in the previous year would not be selected to report on the cost-earnings and annual expenditure forms.

Information is also collected annually about expenditures made infrequently throughout the year or only once per year from fishermen who were selected for the cost-earnings reports. Fishermen are required to submit the annual form by April 15 of the following calendar year so that they can use their accounting records organized during the preparation of their income tax returns. Our estimated time of 30 minutes to complete the annual form is based on the presumption that fishermen would already have organized their expenses for end-of-year tax purposes.

The number of respondents, the estimated number of responses, the time per response and the total burden estimate for completing the additional economic questions on the trip and annual reporting forms are shown in Table 1. The estimates below are based on recently and historically available permit holder information.

The estimated burden hours by gear group are provided below in Table 1. The estimated number of trips is based upon past activity by each gear group.

For the purposes of this burden estimate, it is assumed that the HMS logbook will be completed on all of the trips selected, which is a higher response rate than is likely to occur because of limited instances of non-compliance and reduced selections to date for HMS charter/headboats. Note that some charter/headboats and shark vessels have the option of completing a regional logbook in lieu of the HMS logbook to the extent that their participation in these fisheries also requires a logbook submission. Additionally, some charter/headboat permit holders also hold a shark or swordfish permit and some shark permit holders hold a swordfish permit. Thus, estimates for charter/headboat and shark burden hours can be considered a maximum.

¹¹Some permits are issued by species, not by gear type. That is, a swordfish permit holder may be a longline fisherman, rod and reel fisherman, or harpoon fisherman. There is a similar situation for shark permit holders, whereas tuna fishermen are issued permits by gear type.

Table 1. Summary of reporting requirements and estimated reporting burden estimates for respondents in HMS fisheries and Dolphin/Wahoo only permit holders (response totals non-italicized, hour totals italicized).

	Fishery					Total
	Tunas	Sharks	Swordfish	HMS Charter/ Headboats	Dolphin/Wahoo - commercial & CHB	
Number of permit holders	28,614	469	324	4,174	2,388	35,969
Selection for logbooks	10%	100%	100%	100%	100%	10,216
# of Respondents	2,861	469	324	4,174	2,388	
# of Trip Summary Reports w/Catch	28,610 2,861 @ 10 trips/yr	4,690 469 @ 10 trips /yr	6,480 324 @ 20 trips/yr	62,610 4,174 @ 15 trips/yr	23,880 2,388 @ 10 trips/yr	126,270
+ Burden hours @ 12min/ trip summary report	5,722	938	1,296	12,522	4,776	25,254
# Reports w/o Catch	5,722 2,861 @ 2 trips/yr	NA	NA	20,870 4,174 @ 5 trips/yr	NA	26,592
No-Fishing Reports (monthly)	NA	2,814 469 @ 6 months/yr	648 324 @ 2 months/yr	NA	14,328 2,388 @ 6 months/yr	17,790
<i>Burden hours @ 2 min/no catch or no fishing report</i>	<i>191</i>	<i>94</i>	<i>22</i>	<i>696</i>	<i>478</i>	<i>1,481/1,479</i>
Selection for cost-earnings data trip reports and annual expenditures form	10% of those selected for logbooks	20%	20%	20%	NA	1,280
# of Respondents	286	94	65	835		
# of Cost-earnings data Trip Reports	2,860 286 @ 10 trips/yr	940 94 @ 10 trips/yr	1,300 65 @ 20 trips/yr	12,525 835 @ 15 trips/yr	NA	17,625
<i>Burden hours @ 30 min/cost-earnings trip report</i>	<i>1,430</i>	<i>470</i>	<i>650</i>	<i>6,263</i>	<i>NA</i>	<i>8,813</i>
# of Annual Expenditures Forms	286	94	65	835	NA	1,280
<i>Burden hours @ 30 min/annual expenditures form</i>	<i>143</i>	<i>47</i>	<i>33</i>	<i>418</i>	<i>NA</i>	<i>641</i>
Total burden hours for Catch reports, including no catch or no fishing reports	5,913	1,032	1,318	13,218	5,254	26,735

	Fishery					Total
	Tunas	Sharks	Swordfish	HMS Charter/ Headboats	Dolphin/ Wahoo - commercial & CHB	
Total burden hours for Cost-earnings and annual expenditures forms	1,573	517	683	6,681	NA	9,454/9453
Total burden hours for Logbook Collection	7,486	1,549	2,001	19,899	5,254	36,189

Responses:	Trip summaries with catch:	126,270
	Reports without catch and no-fishing reports:	44,382
	Cost-earning data trip reports:	17,625
	Annual expenditure reports:	<u>1,280</u>
	TOTAL:	189,557

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).

Currently, all forms are provided to fishermen with pre-addressed postage paid envelopes. While NMFS intends to continue to provide postage-paid envelopes, it is possible that NMFS may discontinue paying postage in the future due to funding or other constraints. Additionally, while NMFS provides postage-paid envelopes, it is possible that respondents could run out of envelopes or lose the envelopes and pay for postage on their own. The estimated number of reports is 189,557 (Number of trip summary reports w/catch + Number of trip summary reports w/out catch + Monthly no-fishing reports + Cost-earning data trip reports + Annual expenditures Forms). Assuming an average of 50 cents for postage, the result is a total estimated cost of postage of **\$94,779**.

The logbook and cost-earnings forms are bound with carbon copies so there are no photocopy costs associated with the recordkeeping requirement for those forms. As the annual expenditures form is not carbon copied, there could be a minor cost of 10 cents to copy the form (**1,280 x 0.10 = \$128**). Including the cost of postage and copies of the annual expenditures forms, in the result is a **total annual cost for the entire program of \$94,907** (postage and copies).

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

Cost to the federal government is estimated to be \$450,165 per year including printing costs, labor for sight review and data entry, form development, and program management costs.

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

At this time, there is no proposed adjustment to this information collection. Although the new Swordfish General Commercial permit could be selected for logbook reporting, the number of permits issued in the first year of its implementation (fewer than 100) does not reflect a change in respondents large enough to change the estimated numbers from the previous extension, given these permit numbers already reflect a maximum annual average. The likelihood of reaching a

historical maximum number, resulting in an impact to burden by 100 additional permits in one year, is extremely low.

Note: in the last extension, rounding in the ROCIS system resulted in a reduction of 3 hours, but the requested hours in the last supporting statement were the same as currently.

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

The results from this collection are not planned for statistical publication but will be used as empirical input for analyses conducted for management and scientific purposes. Data is released to the public only in summary or tabular form (e.g., in summary tables throughout the annual Atlantic HMS SAFE Report).

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.