

**SUPPORTING STATEMENT
SOUTHEAST REGION VESSEL AND GEAR IDENTIFICATION REQUIREMENTS
OMB CONTROL NO. 0648-0358**

A. JUSTIFICATION

This is a revision and extension of an existing information collection. The title is revised and should now read, “Southeast Region Vessel and Gear Identification Requirements” , reflecting the request to merge OMB Control No. 0648-0359, Southeast Region Gear Identification Requirements, into OMB Control No. 0648-0358, Southeast Region Vessel Identification Requirements. Upon OMB approval of this request, OMB Control No. 0648-0359 will be discontinued.

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

The success of fisheries management programs depends on regulatory compliance. The vessel and fishing gear identification requirements are essential to facilitate enforcement. The ability to link fishing or other activity, and fishing gear to a vessel owner or operator is crucial to the enforcement of regulations issued under the authority of the Magnuson-Stevens Fisheries Conservation and Management Act (MSA) at [50 CFR part 622](#).

2. 1 Explain how, by whom, how frequently, and for what purpose the information will be used. 1 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.

Vessel ID

A vessel’s official number, under most regulations, is required to be displayed on the port and starboard sides of the deckhouse or hull, and weather deck. The official number and color code identifies each vessel and should be visible at distances at sea and in the air. These markings provide law enforcement personnel with a means to monitor fishing, at-sea processing, and other related activities, to ascertain whether the vessel’s observed activities are in accordance with those authorized for that vessel. The identifying number is used by the National Oceanic and Atmospheric Administration (NOAA), the National Marine Fisheries Service (NMFS), the United States Coast Guard (USCG) and other agencies and partners in issuing violations, prosecutions, and other enforcement actions. Vessels that qualify for particular fisheries are readily identified, gear violations are more readily prosecuted, and this allows for more cost-effective enforcement.

Gear ID

Regulations at [50 CFR part 622](#) require that each fish, crab, or spiny lobster trap or pot be marked with a tag stating the vessel permit number or marked directly with the vessel permit number, depending on the fishery, and have a buoy attached that meets specified identification requirements. Gillnets for mackerel on the east coast of Florida must be marked with floats. The marking of gear aids law enforcement, helps to ensure that vessels only harvest fish from their own gear, and makes it easier for fishermen to report the use of gear in unauthorized locations.

Regulations in [50 CFR part 622](#) also require that aquaculture site materials (cultured live rock) be distinguishable from the natural occurring substrate, depending on the area either through marking or other method. The marking of aquacultured site materials aids determination of the origin of those materials and thereby helps ensure compliance with the regulations.

Law enforcement personnel rely on this information to assure compliance with fisheries management regulations. Gear that is not properly identified is confiscated. NMFS and the USCG use the identifying number on fishing gear to ensure compliance with applicable regulations. Gear marking helps ensure that a vessel harvest fish only from its own fishing gear and that fishing gear are not placed illegally. Gear violations are more readily prosecuted, and this allows for more cost-effective enforcement. Cooperating fishermen also use the numbers to report placement or occurrence of gear in unauthorized areas.

Fishermen compliant with regulations ultimately benefit as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

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 requirement that each vessel and the fishing gear display an identification number does not lend itself to technology. Vessel monitoring system units and transponders are comparatively very expensive. No other technology appears to be less costly and still capable of providing the necessary information to support enforcement.

4. Describe efforts to identify duplication.

There is no duplication with other collections for vessel or fishing gear identification and display. The USCG documentation numbers to applicable vessels under OMB Control No. 1625-0027. NMFS requires a vessel to display its official number, that is, the USCG documentation number, at certain sizes depending on the vessel's length.

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

NMFS categorizes all or nearly all vessels covered under this information collection as small businesses. The collection will not have a significant impact on small businesses, and no special modifications of the requirements were considered necessary to accommodate the needs of small businesses.

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

If vessels or fishing gear were not identified, NMFS and the USCG could not enforce the fisheries management measures. The frequency is one time, although the numbers must periodically be maintained to remain legible.

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

The collection is consistent with Office of Management and Budget (OMB) guidelines.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Federal Register Notices published on October 6, 2014, (79 FR 60140) for both OMB Control Nos. solicited public comments. No comments were received. During the comment period, a media outlet (Greenwire) contacted NMFS and inquired about the marking requirement for fishing gear. NMFS clarified the purpose and intent for marking fishing gear. The individual had no comments about the information collection.

NMFS contacted multiple fishermen from different sectors that are affected by these collection requirements for their input. Their feedback is included in the estimated burden hours and costs for marking vessels and fishing gear. Based on constituent input, NMFS revised the estimated burden and cost for marking each vessel from 45 minutes to 75 minutes per year, and from \$30 to \$34 per year, respectively. Additionally, NMFS revised certain cost and burden hour estimates for gear marking requirements. In one example, the cost of tags for golden crab traps increased from \$1.30 to \$1.80 per tag, but the time estimated to affix these tags decreased from seven to two minutes per tag.

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

No payments or gifts are provided.

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

There is no assurance of confidentiality provided.

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 sensitive questions are asked.

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

Each of 7,825 federally permitted vessels is required to be marked with the vessel's official number. Each vessel must be marked in three places, requiring 25 minutes each for a total of 75 minutes per vessel annually (average of initial marking, and subsequent annual touch-ups) for a

total of 7,825 responses * 75/60 = 9,781.25, rounded down to 9,781 hours.

The official vessel number is required for marking each applicable piece of fishing gear. The estimated time burden to mark:

- 115,000 cultured live rocks at 10 seconds each = 319.5 (320) hours
- 10,000 golden crab traps at 2 minutes each = 333.33 (333) hours
- 15,903 Spanish mackerel gillnet buoys at 20 minutes each = 5,301 hours
- 270,000 spiny lobster traps and buoys at 7 minutes each = 31,500 hours
- 15,840 buoy gear at 10 minutes each = 2,640 hours
- 4,200 black sea bass pots and buoys at 10 minutes each = 700 hours

Total for gear marking only = 430,943 responses and 40,793.83 (40,794) hours.

Total for both vessel and gear marking = 438,768 responses and 50,575.08 (50,575) 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).

The estimated total annual cost to the public is \$668,020.50 (\$668,021).

For vessel marking, materials such as paint and paintbrushes are estimated to cost \$34.00 per vessel annually: 7,825* \$34.00 = \$266,050.

For marking fishing gear, estimated materials costs include:

- \$500 fixed cost for 115,000 coral live rocks
- \$18,000 for 10,000 golden crab traps at \$1.80 each
- \$23,854.50 for 15,903 Spanish mackerel gillnet buoys at \$1.50 each
- \$351,000 for 270,000 spiny lobster traps and buoys at \$1.30 each
- \$6,336 for 15,840 buoy gear pieces at \$0.40 each
- \$2,280 for 4,200 black sea bass pot tags and buoy components all averaged to roughly \$0.54 each

Total for marking fishing gear: \$401,970.50 (\$401,971).

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

There is no cost to the government.

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

Program Change: The estimated total annual burden and cost to the public is revised due to the inclusion of fishing gear marking requirements for the same respondents, collected under a separate, approved collection. The currently approved responses, burden and cost from OMB Control No. 0648-0359 added were 138,350 responses, 9,771 hours and \$50,755.

Adjustments: Vessel marking burden was changed from 45 minutes per vessel to 75 minutes per

vessel and some gear marking burden and costs were revised based on respondent comments. Burden and cost were also adjusted based on a decreased number of vessels and an increased number of gear pieces. These adjustments added net amounts of 290,644 responses, 34,067 hours and \$324,025.

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

The results are not published.

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.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.