

**SUPPORTING STATEMENT
NORTHEAST MULTISPECIES AMENDMENT 16
OMB CONTROL NO. 0648-0605**

A. JUSTIFICATION

This is a request for an emergency revision of OMB Control No. 0648-0605, the Information Collection for Amendment 16 to the Northeast Multispecies Fishery Management Plan (FMP), in conjunction with Final Rule 0648-BE75. This emergency revision modifies only the broad stock area reporting requirements. As part of Framework Adjustment 53 to the Northeast Multispecies FMP, we are seeking emergency Paperwork Reduction Act (PRA) clearance to require vessels that declare trips into the Gulf of Maine Broad Stock Area and any other broad stock area (i.e., Georges Bank (GB) or Southern New England) on the same trip, to submit a daily catch report via vessel monitoring system (VMS). Emergency clearance is requested to allow implementation of the daily VMS reporting requirement on May 1, 2015, concurrent with the effective date of Framework 53, and the implementation of a substantial reduction to the GOM cod catch limit. We have determined the daily reports are necessary to promote more accurate trip declarations and catch reporting from vessels, which will lead to a stronger likelihood that the GOM cod trip limit will not be exceeded.

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

Amendment 16 to the Northeast (NE) Multispecies Fishery Management Plan (FMP) was developed by the New England Fishery Management Council (Council) as part of the biennial adjustment process established in the FMP to update status determination criteria for all NE multispecies (groundfish) stocks; adopt rebuilding programs for groundfish stocks newly classified as being overfished and subject to overfishing; and revise management measures necessary to end overfishing, rebuild overfished groundfish stocks, and mitigate the adverse economic impacts of increased effort controls. In addition, Amendment 16 implemented new requirements for establishing allowable biological catch (ABC), annual catch limits (ACL), and accountability measures (AM) for each stock managed by the FMP, pursuant to the [Magnuson-Stevens Fishery Conservation and Management Act](#) (Magnuson-Stevens Act), as revised. Finally, this action added Atlantic wolf fish to the list of species managed by the FMP. This action was necessary to address the results of the most recent stock assessment that indicates that several additional groundfish species are overfished and subject to overfishing, and that stocks currently classified as being overfished require additional reductions in fishing mortality in order to rebuild by the end of existing rebuilding periods.

SECTOR REQUIREMENTS

Amendment 16 built upon the sector measures implemented under Amendment 13 ([FR 0648-AN17, 69 FR 22906](#)) and Framework Adjustment 42 ([FR 0648-AT24, 71 FR 62156](#)) by approving 17 additional sectors and revisions to many existing sector requirements, including sector allocation provisions, operations plan requirements, and monitoring and reporting requirements, as specified further below. An additional 5 sectors were approved through Framework 45 (76 FR 23042).

Operations Plan Requirements and NEPA Analysis

Amendment 13, the action that first approved the formation of the two operational sectors, specified a number of required elements that must be included in each sector operations plan. Amendment 16 added to those requirements to provide additional details regarding sector reporting and monitoring provisions, as well as to better understand the composition and effort distribution of participating vessels so that the Council can better evaluate the impacts of sectors. These additional operations plan requirements include: Information about overage penalties if a sector exceeds its allocation for any stock; detailed information about the sector's independent third-party dockside/roving monitor service provider to evaluate whether such providers meet National Marine Fisheries Service (NMFS) standards to monitor sector landings; detailed information about a monitoring program for discards; a list of all Federal and state permits held by vessels participating in the sector; a list of specific ports where sector members will land fish with specific exemptions provided for safety, weather, and other reasons; Total Allowable Catch (TAC) thresholds and how the sector would notify NMFS once the threshold has been reached; identification of potential redirection of effort as a result of sector operations and any efforts to limit the adverse effects of such redirection of effort; and finally how groundfish would be avoided while participating in other fisheries that have a bycatch of groundfish if the sector does not anticipate being allocated or acquiring groundfish allocation from another sector. Sector operations plans are required to be submitted by September 1 of each year to ensure that the operations plans and associated analysis are reviewed in time to implement such operations by the start of the next fishing year (FY) on May 1, though the due date for membership information was delayed to December 1 of each year. The Regional Administrator would review each sector operations plan and associated analysis and approve or disapprove such operations through notice in the Federal Register.

In addition to requiring the submission of an Operations Plan, each sector must draft and submit an appropriate National Environmental Policy Act (NEPA) document assessing the impacts of forming the sector. This document will also analyze the impacts of the requested exemptions on the environment, including natural, social and economic aspects.

Certification/Approval of Monitoring Providers

Amendment 13 did not previously establish any requirements for service providers that would help sectors monitor catch. Amendment 16, therefore, established standards that would be used by NMFS to evaluate service providers employed by vessels to comply with the dockside and/or at-sea monitoring and reporting requirements. Providers must apply for certification/approval from NMFS, which would make a determination for approval based upon the completeness of the application and a determination of the applicant's ability to perform the duties and responsibilities as a monitoring service provider. As part of the application, potential service providers must include the following information: Identification; contact information; statements from each owner, board member and officer that they are free from a conflict of interest with fishing-related parties and free of any criminal conviction; a description of any prior experience, a description of the provider's ability to carry out the proposed responsibilities and duties; evidence of adequate insurance, proof of insurance coverage for employees; proof of training; an Emergency Action Plan, and evidence the company is in good financial standing. In addition, prior to approval, providers would be required to demonstrate compliance with the following criteria and requirements: a comprehensive plan to deploy monitors; ensure that

monitors remain available to NMFS for debriefing; report instances of harassment or discrimination; produce, if requested, a copy of each signed and valid contract, materials developed, and used by the providers, refusal to deploy monitors based on timing of notice or safety concerns; a system to record, retain, and distribute information to NMFS; a means to protect confidentiality, and provide sufficient safety and data collection equipment.

For an individual to be certified as a dockside or roving monitor, the provider must demonstrate that each potential monitor meets the following criteria: A high school diploma or equivalent; successful completion of all NMFS-required training courses; certification by a physician attesting to the physical capacity for carrying out the required responsibilities, absence of fisheries-related convictions based upon a background check, and independence from fishing-related parties.

For an individual to be certified as an at-sea monitor, the provider must demonstrate that each potential monitor meets the following criteria: A high school diploma or equivalent; successful completion of all NMFS-required training courses; certification by a physician attesting to the physical and mental capacity for carrying out the required responsibilities, current American Red Cross Cardiopulmonary Resuscitation (CPR)/First Aid Certification (or equivalent); absence of fisheries-related convictions based upon a background check, and independence from fishing-related parties.

These provisions are necessary to ensure that monitoring providers are capable of carrying out their duties to monitor and validate landings and discards as an input to monitoring the utilization of annual catch entitlements (ACE).

Monitoring System for Discards

Sector operations plans must specify how a sector would monitor its landings and discards to ensure that the sector does not exceed its allocation. Sectors would likely evaluate the same documents as NMFS to determine these values, including Vessel Trip Reports (VTR), Vessel Monitoring System (VMS) data, Interactive Voice Response (IVR) data, Northeast Fishery Observer Program (NEFOP) data, at-sea monitoring (ASM) data and any other sector required report and track data through some electronic spreadsheet or database. Sectors are required to maintain a monitoring system to house this data and comply with specified reporting requirements, outlined below.

Weekly Catch Reports

Amendment 16 requires each sector to report all landings and discards by sector vessels to NMFS on a weekly basis. In addition to summarizing fishing activities, the weekly report will also include infractions made by sector members, discrepancies in data, enforcement activities, and how each problem is being/has been resolved. These reports are used to determine the effort and fishing mortality associated with sector activities as well as whether the sector is complying with the provisions of their operation plan.

Annual Report

Within 60 days of the end of each fishing year, approved sectors are required to submit an annual report containing information on the sector's activities for the fishing year to both the Council and NMFS. Each report must contain information describing the fishing activities, harvest levels of all federally managed species, and any applicable enforcement actions attributable to sector vessels in order to evaluate the performance of each sector. These reports are used to determine the effort and fishing mortality associated with sector activities as well as whether the sector is complying with the provisions of their operation plan and other requirements specified under § 648.87.

Notification of Ejection from the Sector

Amendment 16 prohibited vessels expelled from a sector to participate in the NE multispecies fishery as part of either the common pool or another sector for the remainder of the fishery year after the expulsion. Therefore, in the event that a sector member commits an infraction resulting in ejection from the sector, the operations plan must state how and when the sector will notify NMFS. It is anticipated that the Sector Manager or designated agent will contact NMFS immediately, with formal communication to follow regarding details of the incident.

ANNUAL CATCH ENTITLEMENT (ACE) TRANSFERS

Amendment 16 included a provision to assign each limited access multispecies permit a potential sector contribution (PSC) based on landings from 1996-2006 (participants committed to existing sectors as of March 1, 2008 had Georges Bank (GB) cod PSCs based on landings from 1996-2001). Sectors are allocated ACE based upon the potential sector contribution (PSC) of its members. This action allowed ACE to be traded between sectors to provide additional flexibility in the event that 1) the initial portfolio of ACE for each sector does not match the sector's desired ACE portfolio, or 2) a sector exceeds its ACE and needs additional ACE to cover the overage and continue fishing. Under the program, sectors request to transfer ACE at any point during the fishing year, and up to two weeks following the conclusion of the fishing year to balance out any overage. Participants are required to complete and submit an ACE transfer form to NMFS for approval.

VMS REQUIREMENTS

In Framework Adjustment 42, the Council required all vessels fishing under a NE multispecies days at sea (DAS) to use VMS, approved under OMB Control No. 0648-0202. This was considered necessary to effectively administer and enforce many of the area-specific measures proposed in that action. Although vessels participating in sectors are no longer be required to use a NE multispecies DAS under Amendment 16, the Final Environmental Impact Statement (FEIS) neither explicitly requires sector vessels to continue to use VMS, nor explicitly exempts such vessels from using VMS. Because the area-specific measures implemented under Framework Adjustment 42 would continue to apply to sector vessels and because Amendment 16 relies upon VMS as a media to submit area declaration, hail reports, and catch information necessary to implement sector provisions proposed under Amendment 16, NMFS revised the existing VMS regulations at § 648.10 to require that all vessels issued a limited access NE multispecies permit and fishing under a NE multispecies DAS or under the restrictions and

conditions of an approved sector operations plan use a VMS for each groundfish trip. While VMS for the majority of vessels is already covered through OMB Control No. 0648-0202, this information collection will continue to account for the Handgear A (Category HA) permits not covered by OMB Control No. 0648-0202. Therefore, the potential number of additional NE multispecies permitted vessels utilizing VMS may increase to include the 147 vessels issued Handgear A (Category HA) permits.

For these vessels that may be required to use VMS when participating in sectors under Amendment 16, there will be two responses associated with installation: 1) completion of the VMS Certification form (previously approved under OMB Control No. 0648-0202) and 2) a telephone call to confirm VMS activation with Office of Law Enforcement (OLE). Vessels required to have an operational VMS unit on board must complete a form supplied by NMFS verifying that a VMS unit has been installed on the vessel and is operational. These form requests information regarding vessel name, Federal permit number, vessel documentation or state registration number, information (name, address, and telephone number) on the installing dealer, date of installation, serial number of unit, and e-mail address of vessel. The form also requests responses to questions regarding whether or not the unit is operational, if operating instructions have been provided to the vessel owner, and if the vessel owner has been trained on use of the VMS unit by the provider. Once the form has been completed, the vessel owner or authorized representative signs and dates the form, and returns it to the address listed on the form. In addition, in order to ensure VMS unit connectivity, all vessel owners required, or choosing to use, VMS units would be required to call NMFS' OLE, Northeast Region (NER) to confirm connectivity of new and replacement VMS units.

BROAD STOCK AREA REQUIREMENTS

To facilitate the monitoring of annual catch limits (ACL) and sectors, Amendment 16 established four broad stock areas (Southern New England/Mid-Atlantic (SNE/MA), Inshore GB, Offshore GB, and Gulf of Maine (GOM)) that encompass multiple statistical areas for the purposes of providing more accurate and timely data that can be used to apportion catch to individual stock areas, including providing area information for stock apportionment if VTR data are missing or delayed. Operators of all vessels issued a limited access NE multispecies permit, that are fishing for groundfish under a NE multispecies DAS or on a sector trip, are required to declare their intent to fish in one or more of these broad stock areas via vessel monitoring system (VMS) prior to each trip on which groundfish may be landed. In addition, all vessels are required to submit a catch report including the VTR serial number associated with the first page of the VTR for that trip, the amount of each regulated species retained (in pounds, landed weight) and the total amount of all species retained (in pounds, landed weight), including NE multispecies and species managed by other FMPs, from each broad stock area. In order to monitor the catch of GOM cod, In order to better monitor compliance with decreases in the GOM cod catch limit set in Framework 53, Framework 53 requires vessels that declare trips into the GOM Broad Stock Area and any other broad stock area (i.e., Georges Bank or Southern New England) on the same trip to submit daily VMS catch reports. Vessels that do not declare intent to fish in the GOM Broad Stock Area will only be required to submit trip level reports, consistent with the original reporting requirement in Amendment 16.

CATCH REPORTING REQUIREMENTS

NMFS revised the VMS catch report for Special Management Programs (SMP) to reflect the data element requirements outlined in the broad stock area catch reporting requirements described above. This would eliminate the current requirement for vessel operators fishing in SMPs to report species discards and statistical area fished, but would require vessel operators to specify the VTR serial number or other universal trip ID specified by NMFS, the date fish were caught (applicable only for SMP trips), and the amount of each species kept in each broad stock reporting area. Catch reports, including VTR serial numbers, would be used to increase the accurate of data used in the monitoring of catch.

This exemption from the SMP reporting requirements for sector vessels would not apply to vessels participating in the Closed Area I Hook Gear Haddock Special Access Program (SAP). This SAP includes an overall haddock TAC that is applicable to both sector and common pool vessels fishing in this SAP. Therefore, the existing requirement for sector managers to provide daily catch reports by participating sector vessels would be maintained.

DOCKSIDE and AT-SEA MONITORING and REPORTING REQUIREMENTS

Amendment 16 required sectors to develop mechanisms to adequately monitor catch and discards by participating vessels. One of these mechanisms is an independent third-party dockside/roving monitoring program that would observe offloads by sector vessels to ensure that landings are accurately reported. Dockside monitors would observe offloadings directly to a dealer, while roving monitors would be used to monitor offloads to a truck for later delivery to a dealer. For FY 2013 and thereafter, 20 percent of each sector's trips must be randomly observed. In addition, because discards and area fished are critical elements in the monitoring of sector catch, sectors would be required to develop an adequate independent third-party at-sea/electronic monitoring program beginning in FY 2012. This program is used to verify area fished and catch (landings and discards), by species and gear type, for the purposes of monitoring sector ACE utilization. Coverage levels would be specified by NMFS on a yearly basis, based upon a list of participating vessels and gear types for each sector. To facilitate deployment of dockside/roving and at-sea monitors and enforcement of these provisions, Amendment 16 would require vessels to submit trip-start and trip-end hail reports to the dockside/roving and at-sea/electronic monitoring service providers and to NMFS Office of Law Enforcement. The details for any dockside/roving and at-sea/electronic monitoring program must be specified in each sector's annual operations plans. Dockside and at-sea monitoring programs will assist with the monitoring and validation of landings and discards as an input to monitoring the utilization of ACEs.

Beginning in FY 2013, NMFS applies a "hard" TAC to common pool vessels, and will further establish target trimester TACs for each stock. To facilitate monitoring trimester TACs under the common pool trimester TAC accountability measure (AM), 20 percent of trips by common pool vessels would have their offloads monitored by an independent third-party service provider approved/certified by NMFS to provide such services. These service providers would be required to randomly deploy dockside monitors to monitor the offload of catch directly to a dealer, and roving monitors to monitor the offload of catch onto a truck for subsequent shipment to a dealer. The costs associated with monitoring vessel offloads would be the responsibility of

individual vessels. Vessels would be required to submit trip-start and trip-end haul reports to facilitate the deployment of such dockside/roving monitors.

NORTHEAST FISHERY OBSERVER TRIP NOTIFICATION

Amendment 16 adjusted the requirements of the Observer Program, requiring all NE multispecies vessels to provide 48-hours advance notice to the NEFOP in order to deploy an observer aboard vessels to collect biological samples and data during commercial fishing trips, including vessels intending to fish in the United States (U.S.)/Canada Area, Closed Area 1 Hook Gear Haddock SAP, or the Regular B Program. Observer notification and deployment is required to ensure adequate monitoring fishing activities, collection of data, and compliance.

DEALER REPORTING AND RECORD RETENTION REQUIREMENTS

Because Amendment 16 implemented new requirements for dockside/roving monitors for common pool vessels beginning in FY 2012, NMFS requires dealers to provide a copy of any dealer weigh-out documents or dealer receipts for a particular offloading event to dockside/roving monitors. In addition, NMFS requires providers of dockside/roving monitor services to retain and make available for review any records relating to fish offloaded and observed by dockside/roving monitors for 3 years after the fish were first offloaded. This maintains consistency with existing record retention requirements and facilitates enforcement of measures proposed under Amendment 16.

DAS TRANSFER PROGRAM

In order to reduce effort in the NE multispecies fishery, vessels with a valid limited access NE multispecies permit as well as owners of a valid confirmation of permit history (CPH) may permanently transfer DAS to another vessel, provided the selling vessel retires from all state and Federal commercial fisheries and the purchasing vessel is within 10 percent of the selling vessel's baseline length overall and 20 percent of the selling vessel's baseline horsepower (§ 648.83(l)). These provisions are necessary to ensure that the transfer of DAS does not unintentionally increase effort and vessel capacity beyond what has been previously considered. Owners of vessels eligible to transfer DAS are required to submit a completed application on the appropriate form obtained from the RA.

SUBMISSION OF PROPOSED SPECIAL ACCESS PROGRAMS (SAPs)

The collection includes any burden associated with the process for the submission of proposed SAPs. The application for a new SAP would need to specify the number of vessels or trips that may occur in the access program; the estimated catch rate of the target and bycatch species; the type of data reporting to monitor the status of harvest; and the plan of implementation of the SAP, specifically the means by which mortality on a stock of concern will be minimized. After reviewing the proposed SAP, the RA, after consultation with the NEFMC and consideration of public comments received, will make a determination on the proposed SAP and issue a permit authorization or regulations, as appropriate. This standardized process is required to ensure that fishing activities allowed under Amendment 13, including SAPs, maintain consistency with the intent of Amendment 13 to prevent overfishing and help rebuild groundfish stocks. Without such

information, it would be difficult for the RA to determine the nature of proposed SAPs and whether they would adversely impact species of concern.

NAFO REPORTING REQUIREMENTS

NMFS authorized and monitors fishing activities in the Northwest Atlantic Fisheries Organization (NAFO) Regulatory Area (NRA), pursuant to the High Seas Fishing Compliance Act (HSFCA), Northwest Atlantic Fisheries Convention Act of 1995, and Magnuson-Steven Fishery Conservation and Management Act.

One fishing vessel would be issued a high seas fishing permit and a Letter of Authorization (LOA) to be exempt from U.S. Northeast (NE) multispecies and monkfish regulations while transiting the U.S. Exclusive Economic Zone with such species. The permit and LOA would require information to be submitted to NMFS or maintained on board the vessel (depending on the information collection requirement), so that NMFS can monitor the catch and other activities of the fishing vessel and ensure that the vessel is in compliance with the Conservation and Enforcement Measures of NAFO. The requirements include geographic position information from vessel monitoring units, pre-trip notifications, and daily catch reports. The information to be maintained on the vessel includes drawings or description of storage capacity on the vessel.

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.

SECTOR REQUIREMENTS

Operations Plan Requirements, NEPA Analysis, and Reporting Requirements

A total of 24 sectors have been approved by the Council. A sector allocation proposal, operation plan, and the accompanying analysis included within each document is required to adequately describe the proposed sector operations in order for the Council, in consultation with NMFS, to determine whether the sector plan meets the requirements of Amendment 16 and does not jeopardize efforts to rebuild groundfish stocks. Sector proposals that do not meet the identified requirements may not be approved. Operations Plans and associated NEPA analyses may propose up to two years of operation, but it is anticipated that annual submissions will be made via the U.S. mail. Operations plans are evaluated by NMFS for compliance with and support of the goals of Amendment 16. Weekly reports are required to be submitted on a weekly basis. Annual reports are due 60 days following the completion of the fishing year. Notifications of ejections from a sector are submitted when the actions of a sector participant warrant removal, as outlined in the Operations Plan. Reports and notifications are submitted via U.S. mail and are used by NMFS to evaluate each sector and monitor catch.

Certification/Approval of Monitoring Providers

An entity seeking to provide dockside and/or at-sea monitoring services must obtain approval from NMFS, annually. Applicants are required to provide information in a narrative style rather than completing a form. NMFS reviews and evaluates each application for completeness against

evaluation criteria and uses the provided information to evaluate the abilities of the prospective provider to perform the required responsibilities and duties on a recurring basis.

Monitoring System for Discards

Sector operations plans must specify how a sector will monitor its landings and discards to ensure that the sector does not exceed its allocation of ACE. The data included in this monitoring system, which will likely consist of a Microsoft Excel spreadsheet or some individually developed database, is used by the sector manager in the preparation of weekly and annual reports, as outlined above, for catch monitoring and sector evaluation.

ANNUAL CATCH ENTITLEMENT (ACE) TRANSFERS

The information requested on the ACE Transfer form is used by several NMFS offices to implement the ACE Transfer Program and to track quotas. The sector's name is collected and used to verify compliance with weekly reports, and confirm VTR compliance of its member vessels prior to the approval of a transfer. Signatures of both sector managers are necessary to acknowledge the ACE transfer by both parties. Without both signatures, the transfer request would not be processed. ACE Transfer requests are anticipated to be submitted throughout the fishing year, with a possibility for increased submissions as toward the end of the fishing year.

VMS REQUIREMENTS

The data collected through monitoring programs of the NE multispecies fishery are used in many analyses by NMFS, the Councils, states, Departments of State and Commerce, OMB, Corps of Engineers, Congressional staffs, and the fishing industry and public. Vessels are allowed to fish for NE multispecies only for a specific number of DAS, or until a sector's ACE has been exhausted. The VMS accounts for this fishing activity, and the information is used by both the vessel owners and agency representatives for monitoring and enforcement.

VMS is currently required for NE multispecies permit holders fishing under a Category A or B DAS (originally implemented by FW 42 under OMB Control No. 0648-0489, later merged into OMB Control No. 0648-0202), or, effectively, the following Multispecies Permit Categories: Category A (Individual DAS), Category C (Small Vessel), D (Hook Gear), E (Combination Vessels) and F (Large Mesh Individual DAS). Since participation in a sector is open to all limited access NE multispecies permit categories, including Handgear A (Category HA) permits, it is anticipated that the 147 vessels issued Category HA permits will be required to begin using VMS.

For the 147 vessels issued Category HA permits that may be required to use VMS when participating in sectors under Amendment 16, there are two responses associated with installation: 1) completion of the VMS Certification form (previously approved under OMB Control No. 0648-0202) and 2) a telephone call to confirm VMS activation with OLE. Vessels required to have an operational VMS unit on board must complete a form supplied by NMFS verifying that a VMS unit has been installed on the vessel and is operational. These form requests information regarding vessel name, Federal permit number, vessel documentation or state registration number, information (name, address, and telephone number) on the installing dealer, date of installation, serial number of unit, and e-mail address of vessel. The form also

requests responses to questions regarding whether or not the unit is operational, if operating instructions have been provided to the vessel owner, and if the vessel owner has been trained on use of the VMS unit by the provider. Once the form has been completed, the vessel owner or authorized representative signs and dates the form, and returns it to the address listed on the form. In addition, in order to ensure VMS unit connectivity, all vessel owners required, or choosing to use, VMS units would be required to call NMFS'OLE,NER to confirm connectivity of new and replacement VMS units.

BROAD STOCK AREA REQUIREMENTS

To facilitate the monitoring of ACLs and sectors, Amendment 16 established four broad stock areas (SNE/MA, Inshore GB, Offshore GB, and GOM) that encompass multiple statistical areas. NMFS requires the submission of VMS catch reports to obtain more timely and accurate data to apportion catch to individual stock areas and to monitor ACLs and sectors. Submissions for trips that do not declare into the GOM Broad Stock Area (i.e., the trip declarations include SNE/MA, Inshore GB, or Offshore GB but not GOM) are required upon completion of each fishing trip. Vessels that declare into the GOM Broad Stock Area and any other broad stock area must submit VMS catch reports on a daily basis. We determined that a daily report will help us better ensure accurate apportionment of cod catch to the GOM and GB stock areas, and help enforcement efforts. The daily reports will assist NOAA Office of Law Enforcement officers and U.S. Coast Guard officials in identifying misreporting during their compliance checks. Ultimately, this will allow us to effectively track and control mortality on the GOM cod stock.

CATCH REPORTING REQUIREMENTS

The special access programs require vessel operators to submit a trip-level report detailing the amount of each species kept and discarded, the statistical area fished, the VTR serial number for that trip, and the date the fish were caught. Reports are submitted through VMS to NMFS and are used to monitor ACLs and sectors. Submissions will be required upon the completion of each fishing trip.

The Logbook Family of Forms (OMB Control No. 0648-0212) estimated the annual number of trips into the U.S./Canada Management Area and associated SAPs in Closed Area II to be 14,000 trips annually and the number of participating entities to be 400. It also estimated that 142 entities would take 2,130 trips into the Closed Area I Hook Gear Haddock SAP annually. Finally, it estimates 997 entities would take 5,000 trips in the B Regular Program.

DOCKSIDE and AT-SEA MONITORING and REPORTING REQUIREMENTS

It is anticipated that a total of five monitoring providers would apply for approval under these provisions. Approved monitoring providers are required to submit information during the course of the year in order to comply with various requirements and responsibilities. Reports pertaining to monitor deployment, harassment, and catch data will be required throughout the year, as requested by NMFS, along with copies of contracts and any additional materials. The information submitted via U.S. mail will be used to monitor the fishery and monitor deployments, including the evaluation of catch and bycatch. None of the information provided by service providers would be disseminated to the public.

Amendment 16 required coverage rates for dockside monitoring of 20% of sector trips in FY 2012 and thereafter. Beginning in FY 2013, sectors will be required to meet the ASM coverage rate specified by NMFS. Beginning in FY 2013, vessels electing not to join a sector will be required to have 20% dockside monitoring. Hails (notifications of trip start and end) are necessary to ensure that the specified monitoring levels are met. These measures are necessary for the accurate monitoring of ACLs and sectors.

To produce a conservative estimate of the total annual time burden to the public for complying with this requirement, the assumption is made that all groundfish vessels will participate in a sector and that all trips will be taken by sector vessels.

NORTHEAST FISHERY OBSERVER TRIP NOTIFICATION

Amendment 16 expanded notification requirements to all NE multispecies vessels, and decreased the advance notice to 48-hours before a trip. Notification is required to deploy observers and at-sea monitors aboard vessels for the collection of biological samples and data during commercial fishing trips. Notification will be made via a telephone call or email to NEFOP, or through a secure database, and will be used to schedule and deploy observers and monitors.

DEALER REPORTING AND RECORD RETENTION REQUIREMENTS

Dealer reporting requirements currently approved under OMB Control No. 0648-0229, Northeast Region Dealer Purchase Family of Forms, estimate approximately 762 dealers in the Northeast Region. Under this provision, dealers will be required to provide dockside/roving monitors a copy of any dealer weigh-out documents or dealer receipts for each particular offloading event observed by dockside/roving monitors. The information included on these documents will assist in the monitoring of landings and discards in the NE multispecies fishery.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with National Oceanic and Atmospheric Administration (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](#).

DAS TRANSFER PROGRAM

The information submitted on the application to permanently transfer NE multispecies DAS enables NMFS enforcement personnel to accurately track DAS allocations. Vessels that are transferring their DAS must permanently leave all fisheries, and therefore submit the required information, one time. The form requires the following information from the transferor (person transferring DAS) and the transferee (person receiving DAS): Owner name, vessel name, Federal permit number and vessel documentation or state registration number. In addition, the form asks for the total price paid for the transferred DAS (for statistical purposes) and requires the transferee to specify whether it would like to use the smaller baseline specifications of the

two vessels participating in the transfer, or if it would like to utilize the one-time allowable upgrade for the permit in taking the larger baseline of the two vessels participating in the transfer. Both transferor and transferee must sign and date the form.

SUBMISSION OF PROPOSED SAPs

Amendment 13 also created a provision for industry participants and members of the public to submit proposed SAPs. This process, and the information required, would be used by NMFS to determine if proposed SAPs meet the objectives and goals of the NE Multispecies FMP, would not increase mortality on stocks of particular concern, and would ensure that the biological impacts of the target stock falls within the range of the impacts analyzed under Amendment 13. The RA, after consultation with the Council, would use this information to determine if the issuance of specialized permits, including LOAs, authorizing the proposed SAP would be appropriate. No limit to the number of SAPs that may be proposed has been.

NAFO REPORTING REQUIREMENTS

As explained above, the permit and LOA would require information to be submitted to NMFS or maintained on board the vessel (depending on the information collection requirement), so that NMFS can monitor the catch and other activities of the fishing vessel and ensure that the vessel is in compliance with the Conservation and Enforcement Measures of NAFO. The requirements include geographic position information from vessel monitoring units, pre-trip notifications, and daily catch reports. The information to be maintained on the vessel includes drawings or description of storage capacity on the vessel.

A few items not included in this collection and OMB Control No. 0648-0202 would be required as part of the issuance of the high seas fishing permit to maintain compliance with NAFO measures. These are requirements for the permit holder to maintain the following information on board the vessel:

- Record the cumulative production by species and product in a production logbook each day.
- Maintain a stowage plan that shows the location of different species in the holds, as well as the quantities of such species on board in product weight stated in kg. The stowage plan would need to be updated every day.
- Label all processed fish harvested in the NRA in such a way that each species and product category is identifiable. It shall also be clearly marked as having been caught in the NRA.

This information may need to be presented to any inspectors or enforcement agents that board the vessel.

NOAA will retain control over the information and safeguard 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.

Currently, applications/operations plans, appeals, and notification of ejections from a sector must be sent via U.S. mail, as signed statements are required. NMFS has designed a secure web portal where sector managers may securely download VTR, VMS, NEFOP, ASM, and annual report data, and upload weekly reports (<https://www.nero.noaa.gov/NMFSlogin/login/login>). While annual reports are not submitted via this portal, may be submitted via U.S. mail or by electronic means (email). ACE transfers requests may also be submitted via this web portal. Electronic Vessel Trip Reports (eVTR) has been approved for use as an approved reporting method, provided the program meets the necessary data requirements and is approved by NMFS.

Automated reporting has been made available via VMS for fishing vessels required to have the system for participation in a sector. Additionally, automated declarations, once-hourly polling and catch reporting are all available through electronic means (VMS).

No other improved information collection technology has been identified to further reduce the burden associated with Amendment 16. Every effort will be made in the future to use computer technology to reduce the public burden.

4. Describe efforts to identify duplication.

The information to be collected through the proposed information collection is not duplicated elsewhere. The Magnuson-Stevens Act's operational guidelines require each FMP to evaluate existing state and Federal laws that govern the fisheries in question, and the findings are made part of each FMP. Council membership includes state and Federal officials responsible for resource management in their area. In fact, NMFS has identified duplicative reporting requirements and proposes to exempt vessel from such reporting requirements under this action. Therefore, NMFS is confident that it is aware of similar collections if they exist.

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

Only the minimum data needed to meet the permit objectives are requested from all respondents. Since most of the respondents are small businesses, separate requirements based on the size of business have not been developed.

NMFS has currently certified three providers to provide VMS service to vessels participating in the fisheries that require VMS as a condition of their permits. Each provider offers comparable equipment and services over a range of prices. This reduces the burden on the public by increasing competition among providers, thereby decreasing costs to the fishing industry to obtain and operate a VMS unit. Further, the increased variety of VMS units may allow vessel owners/operators to select the most economical and efficient unit to purchase, therefore minimizing costs associated with VMS.

Through this action, NMFS has reduced duplicative reporting requirements, and reduced the number of fields included in the required catch reports.

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

Not conducting the collection of information described in Questions 1 and 2 would undermine NMFS's ability to effectively implement ACLs, AMs, and sector provisions. This collection of information is necessary for a variety of reasons, including monitoring fishing effort and catch, enforcing area specific measures, and increasing efficiency of sector operations by facilitating exchanges of ACE. Furthermore, reducing the frequency of collection would also compromise the ability to monitor vessel activities, in turn affecting the enforcement of management measures.

To the extent practicable, frequency of information collection under this new collection has been minimized. To reduce the frequency any further would compromise the intent of each collection of information requirement. For example, less frequent monitoring of vessels fishing under the NE multispecies program (participating in either a sector or the common pool) would reduce the effectiveness of the system in helping prevent violations of DAS controls and ACE allocations, which, in turn, could reduce the effectiveness of measures to control fishing mortality and rebuild overfished stocks.

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

Some of the requirements may not be consistent with OMB guidelines with regard to the reporting frequency. While OMB guidelines suggest that respondents not be required to report more often than quarterly, requirements for VMS for NE multispecies, sector manager weekly catch reports, and new dealer requirements will require more frequent reports.

Vessels that intend to target NE multispecies fishery must declare via VMS that they will be on such a trip prior to leaving and upon returning to port. The declaration requirement is needed to keep an accounting of DAS usage and fishing location necessary to attribute catch to stock areas and effectively monitor ACLs. Similarly, the sector manager weekly catch reports are needed to ensure that each sector is adequately monitoring its allocation of ACE. Dealers will be required to provide monitors with a copy of weigh-out slips/receipts to ensure consistency.

We are seeking emergency clearance of the daily VMS trip report requirement for vessels that declare trips into the GOM Gulf of Maine Broad Stock Area and any other broad stock area. Emergency clearance is requested to allow implementation of the daily VMS reporting requirement on May 1, 2015, concurrent with the effective date of Framework 53, and the implementation of a substantial reduction to the GOM cod catch limit. We have determined the daily reports are necessary to promote more accurate trip declarations and catch reporting from vessels, which will lead to a stronger likelihood that the GOM cod trip limit will not be exceeded. Delaying implementation of the daily VMS trip reporting requirement to receive approval of this information collection under the normal timeframe limits our ability to enforce the GOM cod catch limits during the first few months of the fishing year. During the 2014 fishing year, GOM cod landings reached 65 mt from May 1 to June 1. While this suggests that,

if catch occurred at a similar pace, less than a quarter of the 2015 GOM quota would be landed during this period, there are additional circumstances, namely higher quotas for co-occurring stocks, that suggest that landings may occur more quickly over the same period this year. The 2014 quota for GOM haddock, which co-occurs with cod, was only 220 mt, but the quota for 2015 will be 1,375 mt. We expect that the availability of additional haddock quota could increase the pace of catch of GOM cod. In addition, there is anecdotal evidence of increased cod availability over the past year from fishermen. Thus, expediting the approval of this reporting requirement is essential to our efforts to minimize GOM cod mortality. We plan to seek PRA clearance on the standard schedule following publication of the final rule for Framework 53.

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 proposed rule for Framework 53 published on March 9, 2015 (80 FR 12394). The proposed rule did not include the daily VMS catch report requirement for vessels fishing in multiple broad stock areas, but did mention that this requirement may be necessary to accurately monitor cod catch. We are requesting emergency PRA clearance for the daily VMS catch report for vessels fishing in multiple broad stock areas as part of Framework 53, thus public comments cannot be solicited prior to the implementation of this portion of the information collection.

However, there were public comments on the Proposed Rule addressing this change (though not in the context of PRA).

Comment 17 in the final rule is the only one related to the reporting requirement:

Comment 17: Two NGOs, one state marine fisheries agency, and two commercial fishing organizations noted concerns for monitoring the low GOM cod catch limit in fishing year 2015. One NGO commented that calculation of the at-sea monitoring coverage level should be at the level of the individual vessel. The two commercial fishing organizations highlighted the importance of electronic monitoring (EM), and that this may provide a way to improve catch accounting. One organization commented that we should implement a requirement to restrict vessels to fishing in a single broad stock area on a trip. The Council also commented in response to the concerns we raised in the proposed rule, and noted that in Amendment 16 to the FMP, the Council provided us with the authority to implement daily catch reporting at any time we deem it necessary.

Response: We agree that adequate monitoring, accounting, and enforcement are essential to help ensure catch limits are effective. A description of at-sea monitoring coverage levels is provided in the final rule for the 2015-2016 Sector Operations Plans and Contracts, and is not repeated here.

We recognize that the low GOM cod catch limit may create an economic incentive to misreport, which could reduce the accuracy of catch apportionment. Although we implemented a single broad stock area requirement in our initial 2014 interim action, this measure can severely restrict

some fishing operations, and reduce the ability for groundfish vessels to target healthy groundfish stocks. In our 2014 interim action, we determined that, despite the potential negative economic impacts, the single broad stock area requirement was necessary as a mid-year adjustment for the fishery. The 2014 assessment indicated that, if no action was taken, the measures in place for the 2014 fishing year would have resulted in substantial overfishing. The single broad stock area requirement was intended to help minimize further catch, and ensure the effectiveness of the interim measures. However, a requirement to fish in a single broad stock area is not necessary to ensure the effectiveness of the final measures in this rule. All of the measures in this final rule, including a much lower catch limit, are being implemented at the beginning of the 2015 fishing year, as opposed to a mid-year implementation for the 2014 interim rule. These measures, along with corresponding measures implemented through the final rule for 2015-2016 Sector Operations Plans and Contracts, will provide sufficient protection for GOM cod to prevent overfishing and contribute to rebuilding consistent with Magnuson-Stevens Act requirements.

To address concerns for potential misreporting, we are implementing a daily catch report requirement for vessels fishing in the GOM and other broad stock areas. This requirement is intended to help ensure accurate catch attribution and reduce the incentive for vessels to misreport. As the Council noted in its comment, a daily reporting requirement was recommended by the Council in Amendment 16 to the FMP. Amendment 16 also delegated authority to us to modify the frequency of reporting requirements, as necessary, to help ensure accurate catch accounting. At the time we implemented Amendment 16, we determined that daily reporting was not necessary, and implemented a trip-level reporting requirement for vessels fishing in multiple broad stock areas. However, for reasons described earlier in this rule, we determined daily catch reports are now necessary to help ensure the effectiveness of the measures implemented in this final rule.

We agree that EM has the potential to be an effective monitoring tool in the groundfish fishery, but EM is not yet sufficiently developed at this time. We are currently working to address the challenges to implement EM, including legal requirements and data processing, and are also examining costs associated with EM. We are also working with several groundfish sectors for fishing year 2015 to help address some of the remaining challenges to implement EM. If successful, EM could be fully implemented as a monitoring program for a portion of the groundfish fishery in fishing year 2016.

In order to begin the normal clearance request process (to obtain clearance for after the 6-month emergency request) for the daily VMS catch report for vessels fishing in multiple broad stock areas, we will solicit public comments in the final rule for Framework 53, which is expected to publish the week of April 27, 2015.

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

Neither payments nor gifts are given to the respondents.

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, all data will be handled in accordance with NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics, and will not be released for public use except in aggregate statistical form (and without identifying the source of data, i.e., vessel name, owner, etc). In addition, any information collected would be considered confidential and would not be disclosed except as provided in Section 402(b) of the Magnuson-Stevens Act.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

There are no questions of a sensitive nature involved in this collection of information.

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

A full summary of the burden estimate involved in this collection of information can be found in Table 1 (posted as a supplementary document).

SECTOR OPERATIONS

Operations Plan and NEPA Analysis

As previously outlined, each sector is required to submit an operations plan to NMFS for approval. For the previous three years, each sector has submitted a plan outlining activities for a single fishing year, and have, therefore, submitted operations plans annually, including adjustments for new members, new exemptions and a variety of adjustments. The operations plan must include multiple elements detailing the proposed operations, reporting requirements and monitoring provisions. Based upon knowledge of the preparation of operations plans by the 24 sectors currently approved, it is estimated that **approximately 4 months (640 hours) would be necessary to prepare, compile and revise the requirements of a sector operations plan**, and to have these documents reviewed. Therefore, in total, it **is anticipated that a total of 15,360 (24 x 640) hours would be required annually for the preparation of the operations plans**, though this burden is likely to decrease after the first few years, as sectors gain experience preparing these documents. In addition, sectors would be required to submit a NEPA analysis analyzing proposed fishing operations and requested exemptions. For FYs 2010-2012, NMFS has drafted the NEPA document on behalf of sectors. Based upon the time allotted to the contract for preparation of the NEPA documents, it is anticipated to take approximately 4 months (640 hours) to prepare the required NEPA analysis. It is anticipated that a total of 15,360 hours would be required for the preparation of 24 NEPA analysis documents; however, for a contractor hired by the respondent, only costs are counted, not burden, for the respondent. **Therefore, the total number of hours associated with the preparation of these documents is 15,360 hours.**

Monitoring and Reporting Service Providers Application

NMFS anticipates that five monitoring service providers may apply for approval and operate under this program, for a total of 5 submissions per year. In addition, it is expected that 3 of the applications will be required to supplement their original application with a 5-page supplemental

document. Based upon a similar monitoring program recently instituted for the Atlantic Sea Scallop Fishery (OMB Control No. 0648-0546), an estimated 10 hours of preparation would be required by each application to compile all required documents, while each response to an initial denial is anticipated to take an additional 10 hours. Therefore, based on the previously estimated burden, **a total of 80 hours is expected** from the monitoring and reporting service provider application requirement (50 hours for the initial applications plus 30 hours for the expected responses).

Monitoring System for Discards

Each sector will be required to maintain a database of all VTRs, dealer reports, dockside monitor reports, and ASM and NEFOP observer data associated with trips by sector vessels. The time burden associated with this requirement is in the amount of time it would take for sector staff to enter the data into a database. Data from dealer reports, observer reports, and at-sea monitor reports will be provided electronically to sectors. The sector manager or designated staff will access the NMFS portal (referenced in Question 3), download the data and upload it to the sector's database. It is estimated that the time burden associated with this task would be negligible, regardless of the number of sector trips involved. For the purpose of estimating the time burden of entering VTR data, it is assumed that sector vessels will provide sector managers with paper copies of VTRs. Data from the paper copies would have to be manually entered into the sector database at an estimated burden of three minutes per VTR. Assuming that all of the 25,000 trips anticipated to be made in the groundfish fishery each year are made by sector vessels would produce a conservative estimate of the total number of VTRs sectors would have to process each year. As some portion of these trips would be made in multiple areas and require multiple VTRs per trip, sectors would have to process a maximum of 30,000 VTRs. **Thus, the estimated annual burden to sectors for processing VTRs would be 1,500 hours** (3 minutes/VTR x 30,000 VTRs).

Dockside monitoring will be required for sector vessels in FY 2012 at a coverage rate of 20%. Dockside monitors will produce reports that will be submitted to the sector manager and/or dockside monitoring provider. To make a conservative estimate of the time burden for sectors for entering data from dockside monitor reports, it is assumed that these reports will be submitted directly to the sector manager in paper form, rather than electronically from the dockside monitoring provider. Dockside monitor reports will contain roughly the same type of information as VTRs, so it is reasonable to assume that each dockside monitor report will also take three minutes to process. With a coverage rate of 20% of sector trips, and assuming that the estimated number of trips is taken by sector vessels (25,000 trips), sectors would have to process 5,000 dockside monitor reports. **Thus, the estimated annual burden to sectors for processing dockside monitor reports would be 250 hours** (3 minutes/report x 5,000 reports).

Therefore, the total annualized time burden of this requirement for the public is estimated to be 1,750 hours (1,500 hours for VTRs +250 hours for dockside monitor reports).

Sector Manager Weekly Reports

As described in Questions 1 and 2, Amendment 16 requires sectors to submit weekly reports summarizing information describing the fishing activities, harvest levels of all federally managed species, and any applicable enforcement actions attributable to sector vessels to NMFS.

Compilation of data and preparation of the report should mirror the efforts of NMFS staff who prepare weekly quota reports. Based upon this, it is expected that each sector would require approximately 4 hours to prepare and submit the required weekly report. **In total, approximately 4,992 hours are expected to be required annually for the preparation and submission of all weekly sector reports** (4 hours X 24 sectors X 52 weeks).

Annual Reports

1All sectors approved under the provisions contained at § 648.87 would be required to submit annual year-end reports as described in Questions 1 and 2. The information required to be included in this report would likely necessitate collecting and reviewing data obtained from each of the sector participants and assembling this information into a cohesive report. Amendment 16 specified the collection of landings and discards, however, due to the preparation of weekly reports including similar information, and the fact that NMFS has provided much of this data to the sectors for the past two years; it is difficult to estimate the amount of time that would be spent developing this report. The estimated response time is 12 hours. With a potential of 24 sectors, **the estimated burden associated with this information collection would be 288 hours.**

Notification of Ejection from a Sector

As previously stated, sectors must specify in their Operations Plan how and when NMFS would be notified of the ejection of a member due to an infraction. A total of 1,482 vessels have the opportunity to join a sector, of which approximately half have preliminarily enrolled to participate. Amendment 16 prohibited vessels that have been ejected from a sector to participate in the groundfish fishery for the remainder of the permit year, therefore only one ejection per vessel is expected in any given permit year. Between FYs 2010 and 2011, 4 vessels were ejected from a sector. Therefore, a conservative estimate of all vessels intending to participate in sectors is 10 vessels. Notification would likely be immediate in the form of a phone call or email, with formal correspondence to follow in the mail. Therefore, it is likely to take approximately one half hour to place the telephone call or send the email, and draft, print and send the necessary correspondence. **In total, this provision would require an estimated burden of 5 hours.**

ANNUAL CATCH ENTITLEMENT (ACE) TRANSFERS

1The ACE Transfer program is restricted to sectors and its participants. The estimated number of potential participants in this program would be the number of potential sectors, approximately 24. While it was initially speculated that the sectors would only participate in one ACE Transfer per allocated species during the course of the first year, during FY 2010 and 2011, many sectors have transferred multiple stocks at once. NMFS conservatively estimates 1,500 individual ACE transfers of only one stock, based on roughly 1,100 transfers in FY 2010 and 1,400 transfers in FY 2011). This number presumes that some sectors will participate in more than one transfer, while others will not participate at all. Sectors wishing to participate would be required to complete an Application to Transfer Annual Catch Entitlement (ACE). One form is required to process each ACE transfer request. Both sectors participating in the agreement (Transferor and Transferee) must enter information pertaining to their sector on the same form, and sign the form at the bottom, indicating their agreement to the specifics of the transfer. This results in a total of 3,000 responses (2 responses per ACE transfer form). According to an estimated average burden

of 5 minutes per response, a **total of 250 hours** (3,000 responses X 5 minutes) would be the burden for this data collection.

VMS REQUIREMENTS

For the 147 vessels issued Category HA permits that may be required to use VMS when joining sectors under Amendment 16, there will be two responses associated with installation: 1) completion of the VMS Certification form, and 2) a telephone call to confirm VMS activation with OLE. The estimated burden associated with the VMS activation confirmation requirement is 5 minutes (for a total burden of 12 hours, **annualized to 4 hours**), and the VMS certification form takes an estimated 10 minutes to complete (for a total burden of 25 hours, **annualized to 8 hours, 20 minutes (8 hours)**).

AREA AND DAS DECLARATION

For each trip, a declaration including information on the vessel, days and times of departure, and description of fishing activities, will need to be transmitted via VMS. With a conservative estimate of 25,000 trips, **it is estimated to require 2,083 hours** (5 min per declaration) for all 1,444 Northeast Multispecies vessels to make the required declaration.

BROAD STOCK AREA REQUIREMENTS

All vessels that declare their intent to fish in two or more of the broad reporting areas would be required to submit a report via VMS at the 0900 hr on each fishing day that details the amount of fish the vessel kept by broad reporting area. Therefore, it is estimated that this requirement would apply to 100 vessels, the number of vessel that fished trips in multiple areas in the 2013 fishing year. This is a reasonable estimate for the maximum number of vessels that would fish trips in more than one reporting area in the coming fishing years, and is consistent with the estimate provided during the last renewal of this information collection (estimated 105 fishing vessels for 2011 fishing year). Of the 100 vessels that declared trip into multiple broad stock areas, 15 took trips that averaged less than one day in length, and 85 took trips averaging 5 days in length. The 15 vessels that took trips that averaged less than one day in length took approximately 75 trips in the 2013 fishing year (average of 5 trips per year). For these 15 vessels, there are an estimated 75 total annual VMS trip report submissions (5 trip reports per year x 15 vessels). Using an estimate of approximately 15 minutes, the total estimated burden of for these catch reports is 19 hours (i.e., 15 minutes per report multiplied by 75 trips). The 85 vessels that took trips that averaged 5 days in length took 640 trips in during the 2013 fishing year (average of 7 trips per year), and the total estimated burden of for these catch reports is 744 hours (i.e., 15 minutes per report x 7 trips per year x 5 days long trips). For these 85 vessels, there are an estimated 2,975 annual daily VMS report submissions (7 trips per year x 5 day long trips x 85 vessels). **The total estimated burden of for these catch reports is 763 hours.**

CATCH REPORTING REQUIREMENTS

The SAP catch reports will include the same data fields as the broad reporting area catch reports described above. Since this catch report will be universal in form for all SAPs, the estimated time burden to the public of fulfilling this requirement for each SAP will be the same for all SAPs. Given the breadth of changes that Amendment 16 brought to the groundfish fishery and

anticipated changes to ACLs, it is difficult to anticipate the level of participation in SAPs that may be expected in the coming fishing years. These are reasonable estimates of the annual number of trips into the U.S./Canada Area and SAPs in the coming fishing years, and the number of entities this requirement would apply to, because reductions in fishing mortality may reduce effort overall. However, overall, the total time burden associated with such catch reports is not expected to change. As a result, **the burden to vessels participating in the U.S. Canada Management Area and associated SAPs is estimated to remain at 3,500 hours** (15 minutes x 14,000 reports). **The total time burden to vessels participating in the Closed Area I Hook Gear Haddock SAP is expected to remain at 533 hours** (15 minutes x 2,130 reports). **Finally, the total time burden to vessels participating in the Regular B Program is expected to remain at 1,246 hours** (15 minutes X 4,985 reports).

DOCKSIDE MONITORING AND REPORTING REQUIREMENTS

Dockside monitoring is required for 20% of all trips, including sector and common pool trips in FY 2013 and thereafter.

Hails and Confirmations

Trip-Start Hail

Before the start of each trip, all vessels will be required to notify their dockside monitoring provider of their intent to take a trip. This hail can be done as an email via VMS or by phone, as decided by each sector and their monitoring service provider. The hail would take an estimated two minutes to complete and would affect approximately 1,482 entities annually, which is the total number of limited access NE multispecies permit holders. It is estimated that NE multispecies permit holders will make a total of 25,000 trips next year, issuing one trip-start hail per trip, for a total of 25,000 hails. **Therefore, the total estimated time burden for all vessels is 833.33 (833) hours** (2 min/hail x 25,000 hails). Because this includes the total number of trips anticipated to be taken by all NE multispecies vessels, the total estimated burden of 833 hours would be the total burden for the entire fishery (including common pool vessels).

Trip-Start Hail Confirmation

Dockside monitoring providers would be required to respond to vessel trip-start hails with a confirmation of receipt. This requirement is expected to apply to up to five entities, which is the number of providers that have applied for approval to provide dockside monitoring services to the groundfish industry. This confirmation may be done via phone or VMS and is anticipated to likely be through an automated system. Because the confirmation is expected to be automated, **there is no expected time burden for providers associated with these 25,000 responses.**

Trip-End Hail

The requirement entails notifying the dockside monitoring provider of the intent to land a trip and to schedule a dockside monitor to meet the vessel upon landing. This hail can be done through VMS or by phone and is estimated to take 15 minutes to complete. It is estimated that NE multispecies permit holders will make a total of 25,000 trips next year, issuing one trip-end hail per trip, for a total of 25,000 trip-end hails. To account for the time burden associated with additional hails that may be sent as corrections to errors in the trip-end hail, an additional 2,500 hails are expected for a total of 27,500 hails. **Therefore, the total estimated time burden to the public for complying with this requirement is 6,875 hours.**

Trip-End Hail Confirmation

Dockside monitoring providers are required to respond to vessel trip-end hails with a confirmation of receipt. This requirement is expected to apply to up to five entities, which is the number of providers that have applied for approval to provide dockside monitoring services to the groundfish industry. This confirmation may be done via phone or VMS and is anticipated to require approximate 2 minutes for the providers to confirm whether or not a dockside monitor has been assigned. **In total, this will require a time burden of 833 hours to the providers** (27,500 confirmations X 2 minutes). The confirmation for the end hail specifies whether the trip was selected for monitoring. To arrange details, this may be a phone call, and not a VMS message. Thus, there is a possible time burden as opposed to the trip start hail confirmation.

Forwarding of Hails to NMFS

The dockside monitoring provider or sector manager is required to provide information contained in trip-start and trip-end hails (including whether a trip will be monitored) to NMFS upon receipt of each hail. This requirement could be fulfilled by either the sector manager or the contracted provider, but for the purposes of conservatively estimating the time burden associated with this requirement, it is assumed that the greater number of entities (24 sector managers) would forward all hails. Hail information will be forwarded by email to the NMFS' Office of Law Enforcement and may require staff at the provider or sector to enter this data into an email if the hail from the vessel was done by phone. It is estimated that this data entry would take a total of two minutes to complete for two hails each trip (25,000 trips), for a total of 52,500 items (including 2,500 additional items to account for corrections). **This would result in a total estimated time burden to the public of 1,750 hours** (2 min/item x 52,500 items).

Notification of Monitor Emergency

The dockside monitoring provider is required to notify the vessel, sector, and NMFS' Office of Law Enforcement (OLE), if a monitor will not be able to meet the vessel as scheduled, what time the monitor will arrive or if the vessel will be issued a waiver. For expediency, it is assumed the provider would inform the vessel, sector, and NMFS by phone, which would be expected to take approximately five minutes to complete. A reasonable estimate of the number of trips that might require this notification is 25% of trips or 6,250 trips. At three calls per trip, this results in a total of 18,750 items and **1,563 hours of burden to monitoring providers** (5 min/item x 18,750 items). There would also be a time burden associated with this requirement for sector staff and vessel operators to receive the calls. **It is estimated that the burden to vessel operators and sector staff would be 521 hours each** (5 min/call x 6,250 calls)/60 min). **This results in a total time burden to the public of 2,605 hours** (1,563 hours + 521 hours + 521 hours).

Database and Data Entry Requirements

Amendment 16 required that dockside or at-sea monitoring providers maintain a database of dockside monitor reports, monitor deployments, and other associated information. With respect to dockside monitoring, this requirement is expected to apply to up to five entities, which is the number of providers that have applied for approval to provide dockside monitoring services to the groundfish industry. At a 20% annualized coverage rate, dockside monitoring providers would have to input data from 5,000 dockside monitor reports or copies of dealer receipts (20% of 25,000 groundfish trips), assuming this data is collected by monitors on paper and not transmitted to the dockside monitoring provider electronically. In addition, there is a

requirement that the dockside monitors collect the VTRs from observed trips and provide these with the monitor reports to the dockside monitoring provider (or sector manager). Assuming that the providers will also have to enter and archive VTR data, the providers will have to process 6,000 VTRs (20% of 30,000 VTRs). **Entering data from these reports would take approximately three minutes per report, for a total estimated time burden to the public of 550 hours** (5,000 monitor reports + 6,000 VTRs) x 3 minutes).

Dockside Monitoring Provider Reporting Requirements

Amendment 16 specifies that dockside monitoring providers must make several reports available to NMFS, if requested. These include: reports of monitor deployments, reports including catch/discard data, reports of harassment, copies of contracts, copies of additional materials, and ensuring that that monitors remain available for debriefing for two weeks following a monitored trip. A total of 5 dockside monitoring providers are anticipated to participate in this program. **It is estimated to require 17,108 hours to comply with all of these reporting provisions.**

| Activities | Providers | Items per Entity | Total Items | Time Per Response | Total Hours |
|---|-----------|------------------|---------------|-------------------|---------------|
| Report of Monitor Deployments | 5 | 1680 | 8,400 | 10 min | 1400 |
| Relay Catch/Discard Data to NMFS | 5 | 1680 | 8,400 | 5 min | 700 |
| Reports of Harassment, Discrimination, Safety Concern, Injury, etc. | 5 | 1000 | 5000 | 30 min | 2500 |
| Copy of Each Signed and valid Contract between Provider and Entities Requiring Monitoring | 5 | 1 | 5 | 30 min | 3 |
| Copy of Additional Service Provider Documents | 5 | 1 | 10 | 30 min | 5 |
| OLE Debrief of Monitor | 5 | 1250 | 6250 | 2 hours | 12,500 |
| TOTALS | 5 | | 28,065 | | 17,108 |

AT-SEA MONITORING AND REPORTING REQUIREMENTS

Hails and Notifications

Pre-Trip Notification

At-sea monitoring coverage is set annually by NMFS. Sector vessels will be required to notify their monitoring provider for at-sea monitoring services of their intent to make a trip, as specified in the operation plan, including such information as vessel name, permit number, VTR serial number, date, location, and time of departure. This notification would consist of a phone call to the monitoring provider that is expected to take approximately **two** minutes to complete. It is unclear how many vessels will participate in sectors annually (estimated at 900 vessels), and thus how many entities this requirement would affect and how many trips those entities will make. To produce a conservative estimate of the total annual time burden to the public for complying with this requirement, the assumption is made that all trips will be taken by sector vessels.

Therefore, the total estimated time burden to the public of complying with this requirement is 833 hours [0.03 hours/notification x 1 notification/trip x 25,000 trips].

Vessel Notification of Selection for Coverage

Once a sector vessel has made their pre-trip notification to the sector's at-sea monitoring provider, the provider must determine which trips by the sector will be assigned an at-sea monitor and notify the vessel of its selection for coverage. It is expected that this requirement

would apply to up to five entities, which is the number of providers that have applied for approval to provide monitoring services to sector vessels. The notification would be done by phone and would take approximately **five** minutes to complete. Based upon the highest coverage rate previously required (30%), the providers would have to issue an estimated 7,500 notifications to individual vessels each year (30% of 25,000 trips). **This results in a total estimated time burden to the public of 625 hours** (0.08 hours x 7,500 notifications).

Database and Data Entry Requirements

At-Sea Monitoring Provider Database

Amendment 16 requires that dockside or at-sea monitoring providers maintain a database of monitor reports, monitor deployments, and other associated information. With respect to at-sea monitoring, this requirement is expected to apply to up to five entities, which is the number of providers that have applied for approval to provide monitoring services to the groundfish industry. Data collected by individual at-sea monitors would be transmitted directly to NMFS via an electronic hand-held data collection device. This data will be processed by Northeast Fishery Observer Program (NEFOP) staff, which would then make the data available electronically to the at-sea monitoring providers and sector managers. The sector manager or designated staff will access the NMFS portal (referenced in Question 3), download the data and upload it to the sector's database. It is estimated that the time burden associated with this task would be negligible, regardless of the number of sector trips involved. Therefore, there is no expected time burden to the public associated with this requirement.

NMFS Data Processing

NEFOP staff receives data directly from at-sea monitors via an electronic method that does not have a time burden associated with it. NEFOP will process this data in accordance with NEFOP procedures, before making it available to the public. This requirement will be fulfilled by the Federal government and, therefore, there is no expected time burden for the public associated with this requirement.

At-Sea Monitoring Provider Reporting Requirements

Amendment 16 specifies that at-sea monitoring providers would be required to make several reports available to NMFS, if requested. These reports include: reports of monitor deployments, reports including catch/discard data, reports of harassment, copies of contracts, copies of additional materials, and ensuring that that monitors remain available for debriefing for two weeks following a monitored trip. A total of 5 at-sea monitoring providers are anticipated to participate in this program. Based on estimates included in OMB Control No. 0648-0546 and expanded to the NE multispecies fishery, **it is estimated to require 17,108 hours to comply with all of these reporting provisions (see table for Dockside Monitoring Provider Requirements, page 21).**

NORTHEAST FISHERY OBSERVER TRIP NOTIFICATION

Changes to the requirements for Observer notification will require all 1,482 vessels enrolled in sectors or fishing in the common pool to notify NEFOP of its intent to make a trip via telephone call. It is anticipated that approximately 25,000 trips will be made by all NE multispecies vessels. Using the time burden previously approved under OMB Control No. 0648-0202, it is

expected to require approximately 2 minutes to complete this call. **Therefore, a total burden of 833 hours is anticipated.**

DEALER REQUIREMENTS

NMFS is requiring that dealers provide copies of their reports or weighout slips for each offload event. Dealer reporting requirements currently approved under OMB Control No. 0648-0229 estimate approximately 762 dealers in the Northeast Region. For the anticipated 25,000 NE multispecies trips, at most, 20% of trips will be monitored annually, for a total of 5,000 trips annually (for the first year of the program, the percentage was 50, to be decreased thereafter). **At an estimated 2 minutes per report, or a total of 167 hours.**

These information collections are being transferred from OMB Control No. 0648-0202, with responses, hours and costs updated:

DAS TRANSFER PROGRAM

Only vessels with a valid limited access NE multispecies permit or CPH would be allowed to permanently transfer DAS to another vessel. A total of approximately 1,400 vessels would be able to permanently transfer DAS to another vessel annually. The application for this transfer is expected to take 5 minutes to complete, for **a total burden of 116 hours.**

SUBMISSION OF PROPOSED SAPs

It is expected that one proposed SAP would be submitted annually. Without knowing how long these applications would be, it is difficult to approximate the time associated with generating this submission. However, **a conservative estimate of 20 hours** to review data, and generate a proposal is assumed.

NAFO REPORTING REQUIREMENTS

NMFS estimates that the recording of all of the above listed information would average 10 minutes each day. If the vessel completes 10 trips, averaging 5 days each, the annual burden would be **8 hours and 20 minutes (8 hours).**

Total responses for this information collection are estimated at 1,683,627 and burden hours are estimated to be 81,126. At an average labor rate of \$25, total labor costs are estimated at \$2,028,100.

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 full summary of the burden estimate involved in this collection of information can be found in Table 1.

SECTOR OPERATIONS

Operations Plan and NEPA Analysis

Due to the increase in requirements associated with a sector operations plan, NMFS has estimated \$60,000-\$150,000 in start-up operational costs. Based upon this estimate, **operational costs associated with the start-up of sectors are anticipated to cost \$3,600,000** (24 sectors x \$150,000 operational costs). This estimate includes both the development and review of the operations plan, and the development of the required NEPA analysis. Based upon legal consultation fees incurred by the two currently approved sectors associated with the development and review of their operations plan, it is estimated to cost \$50,000 annually to develop operations plans for at least the first three years. NMFS provided funding for an independent contractor to prepare for sector analyses in FY 2010, anticipating a cost of \$100,000 per document. It is anticipated that preparation of NEPA documents in subsequent years would incur a similar annual cost, to the sectors, though it may be reduced in future years, as subsequent analyses can build upon the initial NEPA analyses.

In addition to the preparation of these documents, submission of these documents would incur costs associated with copying and the postage required for delivery of the documents to NMFS. It is unknown how large these documents would be, however, based upon the documents submitted for FY 2010, it is estimated that each operations plans would require approximately 50 pages, and each NEPA document would require approximately 150 pages. Monitoring provider documents will also be submitted in conjunction with the operations plan by the sector (see below), therefore it is estimated that an additional 200 pages will be submitted. In total, it is anticipated that sectors will be submitting approximately 400 pages of materials. **With copying costs estimated at \$0.10, the cost incurred by each sector is approximately \$40. The cost of mailing a 5 pound parcel from the furthest state covered by the Northeast region would cost approximately \$10.00. Therefore, each sector would incur an additional \$50 cost for copying and submission of the required documents annually, for an annual total of \$1200.**

In summary, a total cost of \$3,601,200 is anticipated to be incurred by these requirements.

Monitoring and Reporting Service Providers Application

Monitoring provider documents are proposed to be submitted to the Sectors for inclusion in each operations plan. It is anticipated that each provider would supply the documents via electronic means, therefore incurring no additional costs. At \$0.10 per page, it is anticipated that **\$20 will be incurred to cover copying costs. Therefore, the total burden to the providers is anticipated to be \$20.**

Submission of an additional 5 pages **to respond to a service provider disapproval** would cost approximately \$1.50 in copying costs (5 pages X 3 responses X \$0.10/page) plus approximately \$1.50 in mailing costs (3 responses X \$0.45 postage), **for a total of \$3.**

Monitoring System for Discards

The cost of a database is estimated at \$1,500 (for a PC with Microsoft Excel), with an annualized cost of \$500, or **\$12,000 for 24 computers**. We are counting the maximum cost, based on refreshes and turnover.

Sector Manager Weekly Catch Reports

It is unknown how large these documents would be, but based on internal weekly quota monitoring procedures, would likely not be more than 5 pages. Assuming these documents are submitted in electronically, therefore **no additional costs would be incurred**.

Annual Reports

The submission of sector annual reports required under Amendment 16 incurs costs, proportional to the size of the document, from copying and the mailing of these documents to NMFS. It is estimated that an annual report would be about 20 pages in length. **Therefore, an annual cost burden for the submission of this document is estimated at \$4 per submission (20 pages X \$0.10 per page and 4 stamps X \$0.45 per stamp), or \$96 total.**

Notification of Ejection from a Sector

This information collection does not require respondents to purchase new or additional equipment or services. Most computers, telephones and/or facsimile machines utilized by the respondents would have already been purchased as part of customary and usual business practices; thus startup costs associated with this provision are negligible. Therefore, immediate notification by either telephone or electronic communication would not incur additional costs beyond usual business practices. Using the previously assumed rate for copying (\$0.10/page), it is estimated that a 1-page notification of expulsion would, in total cost \$1 annually (10 responses X 1 page X \$0.10/page). Additionally, the costs associated with mailing (1 stamp) this 1-page correspondence is estimated at \$5 (10 responses X \$0.45/stamp). **In total, notification of expulsion from a sector is anticipated to cost \$6 annually.**

ANNUAL CATCH ENTITLEMENT (ACE) TRANSFERS

For each ACE transfer request, two respondents would have to enter their information onto the application to transfer ACE form. It is not known whether ACE transfer would take place in person, or through other means. Accordingly, participants may mail the transfer application to the other participant to complete the transaction. The form would then have to be mailed to NMFS for processing. With 1,500 applications anticipated per year, **there would be a maximum postage cost of \$1,350** (1,500 stamps to mail the transfer from one respondent to the other + 1,500 more to mail the document to NMFS X \$0.45/stamp). Participants may wish to retain a copy of the ACE transfer form for their own records. Using an estimate of \$0.10 per page for copying costs, participants would incur **an additional \$300 cost** (3000 copies X \$0.10/copy). **Therefore, postage and copying costs would total \$1,650.**

VMS REQUIREMENTS

The 147 additional Category HA vessels will need to purchase and install a VMS unit at a cost of \$3,200 each, annualized to \$1,067 or **\$156,800 for all vessels**. These vessels must also call to confirm VMS installation; however, as telephone service is considered a routine business expense, no additional cost is expected to be incurred based on the VMS installation confirmation call. A one-time postage cost of approximately \$66 is associated with VMS Certification Form submission (\$.45 per stamp x 147 vessels), **annualized to \$22**.

VMS monitoring in the NE multispecies fishery is automated, but costs \$0.05 per transmission with a polling rate of one time per hour. The total cost for daily, once-hourly VMS location transmission is \$1.20 per vessel (24 polls/day X \$0.05), totaling \$176 daily, for all Category HA permits. The transmission costs for all other vessels are covered under OMB Control No. 0648-0202.

The average monthly cost for a VMS unit, based on annual maintenance costs, is approximately \$150, or \$22,050 for all Category HA vessels. The total cost of monthly operation is \$27,360 (\$22,050 + \$5,310 for monthly polling). **Annual maintenance costs would be \$264,600 and annual polling costs, \$63,720**.

AREA AND DAS DECLARATION

For each trip, a declaration with information on the vessel, days and times of departure, and description of fishing activities, will need to be transmitted via VMS. AT \$1 per declaration, **it is anticipated to cost the 1,444 vessels \$25,000 to make the required declarations for their total of 25,000 trips**.

BROAD STOCK AREA REQUIREMENTS

All vessels that declare the intent to fish in two or more of the broad reporting areas will be required to submit a report via VMS at the conclusion of the trip that details the amount of fish the vessel kept. The catch report would include the VTR serial number (14 characters), date (8 characters), kept catch of each groundfish stock (13 species x 4 stock areas x 6 characters each = 312 characters), kept catch of all fish on board (6 characters), and commas separating the fields (54 characters), for a total of 394 characters per report. At a cost of \$0.004 per character plus \$0.50 per submission (cost of the most expensive VMS provider), each catch report would cost \$2.228. Therefore, **the total cost to the public of complying with this requirement is estimated to be \$6,795** (\$2.228/report x 3,050 reports).

CATCH REPORTING REQUIREMENTS

The SAP catch reports will include the same data fields as the broad reporting area catch reports, and will have the same transmission cost of \$2.228 per report. Since this catch report will be universal in form for all SAPs, the estimated cost to the public of fulfilling this requirement for each SAP will be the same. The total cost to the public of vessels participating in the U.S./Canada Management Area and associated SAPs is estimated to be **\$31,192** (\$2.228/report x 14,000 reports). The total cost to the public of vessels participating in the Closed Area I Hook Gear Haddock SAP is estimated to be **\$4,745** (\$2.228/report x 2,130 reports). The total cost

associated with vessels participating in the Regular B Program is estimated to be **\$11,140** (\$2.228/report x 5,000 reports).

DOCKSIDE MONITORING AND REPORTING REQUIREMENTS

Hails and Confirmations

Trip-Start Hail

For the purpose of estimating cost burden, it was assumed that all entities would make the trip-start hail via VMS. The hail email must include the vessel permit number (6 characters), Trip ID number (14 characters), anticipated arrival time (12 characters), and anticipated offload time (12 characters), intended port/harbor and state of offload (12 characters), and whether or not the vessel was selected for an observer or at-sea monitor, with fields separated by commas (5 characters), plus a general comment field for vessels to indicate whether vessels are fishing inshore/offshore or targeting a specific species, as well as space for future notes, brings the total to 96 characters including commas.

For 96 characters at \$0.004 plus \$0.50 per email transmission, there is a cost of \$0.884 per hail. **Assuming that all trips will be taken by sector vessels (25,000 trips), this results in a total cost to the public of \$23,900 (\$0.956/hail x 25,000 hails).**

Trip-Start Hail Confirmation

For hails via phone, there will be no cost to the providers, beyond the costs associated with regular phone service. However, for hails via VMS, dockside monitoring providers are required to send an email to the vessel operator confirming the receipt of the trip-start hail, at a cost to the vessel operator. The cost of this transmission would be attributed to the vessel operators to which the hails are sent. It is estimated that this transmission would include confirmation of receipt of the trip start hail and could contain up to 20 characters, at a cost of \$0.004 per character plus \$0.50 per email for transmission costs, for a total of \$0.58 per transmission. Providers would respond to one hail per trip for 25,000 trips per year (assuming all trips are taken by sector vessels), which would result in **a total cost burden for vessel operators of \$14,500 (\$0.58/hail x 25,000 hails).**

Trip-End Hail

For the purpose of estimating cost burden, it was assumed that all entities would make the trip-end hail via VMS, as opposed to by radio or phone. The most expensive VMS provider currently charges \$0.004 per character plus \$0.5 per email transmission, for a total cost per hail of \$0.9. Per a 2012 change request, adding a free text line so vessels can indicate if they are fishing inshore or offshore, or targeting a specific stock. Thus, the cost is now \$1.024 per trip end hail. Assuming 27,500 items, at one hail per trip (including 2,500 correction hails), the total cost to the public of fulfilling this requirement would be **Assuming 27,500 items, at one hail per trip (including 2,500 correction hails), the total cost to the public of fulfilling this requirement would be \$30,360 (\$1.104/hail x 27,500 hails).**

Trip-End Hail Confirmation

It was assumed that responses to trip-end hails by providers would be via VMS, which would have an associated cost to the provider or vessel operator. The trip-end hail confirmation email would include confirmation of the receipt of the trip-end hail and notifying the vessel operator as

to whether their vessel has been selected for a dockside or roving monitor or has been issued a waiver. It was estimated that this email would contain up to 50 characters, at a cost of \$0.004 per character, or \$0.20 and \$0.50 per email for transmission costs, totaling \$0.70 per email. **It is estimated that the providers would respond to one hail per trip for a maximum of 27,500 items per year (including 2,500 correction hails), which would result in a total cost burden for all vessel operators of \$19,250** (\$0.70/hail x 27,500 hails).

Forwarding of Hails to NMFS

There will be no recordkeeping/reporting costs to the respondents for this information collection requirement.

Notification of Monitor Emergency

There will be no recordkeeping/reporting costs to the respondents for this information collection requirement.

Database and Data Entry Requirements

Each provider will be required to maintain a database of all dockside monitor reports, deployments, and associated information. The cost of the database (for a PC with Microsoft Excel which may be more sophisticated than a sector office already owns) is \$1,500, annualized to \$500, X 5 providers, **totaling \$2,500 per year. Note, this is the maximum estimate, assuming there is a 100% turnover of providers.**

Dockside Monitoring Provider Reporting Requirements

As outlined above, dockside monitoring providers must submit a number of reports, if requested. These reports include: reports of monitor deployments, reports including catch/discard data, reports of harassment, copies of contracts, copies of additional materials, and ensuring that monitors remain available for debriefing for two weeks following a monitored trip. With copying (\$0.10 for one page) and mailing (\$0.45 per stamp), or \$0.55 per report, **costs for the 21,815 reports would total \$11,998.**

For the OLE debrief, there are no costs to the respondents.

AT-SEA MONITORING AND REPORTING REQUIREMENTS

Hails and Notification

Pre-Trip Notification

It is assumed that the pre-trip notification by sector vessels to the at-sea monitoring providers would be done by phone. Therefore, the cost of making this phone call is expected to be included in the costs of each individual vessel operator's phone service and result in no additional cost burden to the public.

Vessel Notification of Selection for Coverage

It is assumed that the notification by the provider to vessels of their selection for at-sea monitoring would be done by phone. Therefore, the cost of making this phone call is expected to

be included in the costs of each individual provider's phone service and result in no additional cost burden to the public.

Database and Data Entry Requirements

At-Sea Monitoring Provider Database

Each at-sea monitoring provider will be required to maintain a database of all at-sea monitor reports, deployments, and associated information. The cost burden associated with this requirement was determined to be the cost of the database itself, which could consist of a personal computer (PC) equipped with Microsoft Excel at an annualized cost of \$500. NEFOP will be providing the at-sea monitoring data to the providers and sectors in an electronic form that can be uploaded to the provider or sector databases at little to no cost. We do not anticipate any additional costs to the providers for data input. Therefore, the total cost to the public of complying with this requirement is estimated to be \$500 annually, **totaling \$2,500 per year for five providers. Note, this is the maximum estimate, assuming there is a 100% turnover of providers.**

NMFS Data Processing

NEFOP staff will receive data directly from at-sea monitors via an electronic method that is not anticipated to have a cost burden associated with it for the public. NEFOP will process this data in accordance with NEFOP procedures, before making it available to the public. This requirement will be fulfilled by the Federal government and, therefore, there is no expected cost burden for the public associated with this requirement.

At-Sea Monitoring Provider Reporting Requirements

As outlined above, at-sea monitoring providers must submit a number of reports, if requested. These reports include: reports of monitor deployments, reports including catch/discard data, reports of harassment, copies of contracts, copies of additional materials, and ensuring that monitors remain available for debriefing for two weeks following a monitored trip. With copying (\$0.10 per page) and mailing (\$0.45 per stamp), or \$0.55 per report, **costs for the 21,815 reports would total \$11,998.**

For the OLE debrief included under these requirements, there are no costs to the respondents.

NORTHEAST FISHERY OBSERVER TRIP NOTIFICATION

No additional cost to the public is expected to be incurred by the public due to this requirement, as telephone service is considered a routine business expense.

DEALER REQUIREMENTS

Changes to the dealer reporting provisions would require dealers to provide weigh-out slips or reports to dockside/roving monitors. It is anticipated that 5,000 reports would be copied to meet this requirement annually. Assuming the report is a one-page summary, it **is anticipated to cost \$500** (5,000 reports X \$0.10/page) to meet this requirement.

Information collections transferred from OMB Control No. 0648-0202:

DAS TRANSFER PROGRAM

Participants in the DAS Transfer Program are required to submit a DAS Transfer application that has been signed by both the seller and buyer. It is likely that for each request, the application would be mailed first to the buyer and then to NMFS. Therefore, two stamps (\$0.90) are required for each submission. For their own records, two copies would likely be made, resulting in an estimated copying cost of \$0.20 when using a cost of \$0.10/page for this submission. This results in an **overall annualized cost to the public of \$1,540 (\$1,260 for postage of 1,400 applications, and \$280 for copying costs).**

SUBMISSION OF PROPOSED SAPs

The NE multispecies regulations specify the issues must be addressed in an application for a new SAP. However, it is unknown how many pages an application for a new SAP would be. The only costs associated with this submission would be the costs to copy and mail the application to the Council and NMFS for review. Without knowing how long these applications would be, it is difficult to approximate the costs associated with this submission. A rough estimate of approximately 10 pages was used to for this submission. Copying costs are estimated at \$0.10/page. Mailing a document of this size would likely require at least two stamps at \$0.45 each. This would result in a total annualized cost of approximately **\$2 per submission**, with 1 submission per year estimated

NAFO REPORTING REQUIREMENTS

There is no monetary burden associated with this requirement.

Total Start-Up Costs for this collection

Start-up and refresh costs for 147 VMS monitors, annualized to 156,840 plus 34 computers (5 at-sea and 5 dockside monitoring providers and 24 sector offices), annualized to \$7,000, total **\$173,800.**

Total costs to the public are \$4,298,038 (\$4,298,037 in spreadsheet, rounded up in ROCIS).

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

A full summary of the burden estimate involved in this collection of information can be found in Table 1.

SECTOR OPERATIONS

Operations Plans and NEPA Analysis

Sector documents submitted to NMFS under the provisions outlined in Amendment 16 would require extensive review to ensure that the operations plan and associated NEPA document meet the objectives of the FMP without jeopardizing the rebuilding plans of groundfish stocks. Based

upon the time to review these documents submitted under Amendment 13 requirements, and taking into account the expansion of requirements under Amendment 16, it is anticipated to require 80 hours to review each sector's submission. Using a wage rate of \$30/hour (ZP¹-02 and ZP-03 levels), results in an annualized cost to the government of **\$57,600** (80 hours X 24sector X \$30/hour).

Monitoring and Reporting Service Provider Application

Since monitoring provider documents are proposed to be submitted along with the sector's operations plan and NEPA analysis, it is expected that the cost of reviewing these documents would already be covered under the review of the operations plan.

Response to Denial

It is estimated to take the government approximately 1 hour to review each submission, totaling 3 hours. At a pay rate of \$35/hour (ZP-03 level), it would cost **\$105** to review these additional materials.

Monitoring System for Discards

The sector database requirement will be fulfilled by individual sectors and, therefore, this requirement is expected to have no cost burden for the Federal government.

Sector Manager Weekly Catch Reports

Since NMFS will use the weekly report to ensure that the data being used by the sector is consistent with the data submitted directly to NMFS, staff will be required to review the weekly reports. It is anticipated to require approximately 2 hours to review each submission, and reconcile data. At the ZP-03 level (\$35/hour) the review of 1,248 reports is anticipated to cost **\$87,360**.

Annual Reports

In addition, each approved sector would be required to submit an annual report summarizing the sector's activities and harvest levels for the fishing year. Based upon the estimate included in Amendment 13 for the review of an annual report, and factoring in additional requirements, it is estimated to require approximately 4 hours to review and evaluate the performance of the sector. This review would cost the government \$140 per submission (ZP-03 level at \$35/hour), resulting in a potential cost of **\$3,360** (\$140/submission X 24 submissions).

Notification of Ejection from a Sector

Upon receipt of notification that a vessel has been ejected from a sector, NMFS would be required to process this information internally, including notifying multiple divisions of this action, likely through electronic means. It is therefore anticipated that it would require approximately 30 minutes to notify the appropriate parties and add the proper information into

¹Federal series for biological/engineering career path

the appropriate databases. Therefore, it is estimated to cost the government approximately **\$150** (10 responses X 0.5 hours X \$30/hour) annually.

ANNUAL CATCH ENTITLEMENT (ACE) TRANSFERS

Costs associated with the transfer program reflect a cost of \$15/hour to the government at the ZP-02 level. The cost to the government for the ACE transfer program requires 10 minutes per request. This results in an annualized cost of **\$3,750** to the government (1500 applications X 10 minutes/response X \$15/hour) to review and process an ACE transfer. In addition, the government would incur the costs associated with distributing receipts to both participants. It is estimated that one toner cartridge would be necessary to print these receipts at approximately \$40. These receipts are mailed to each participant at a cost of **\$1,350** (3,000 stamps X \$0.45/stamp). This results in an additional cost of **\$5,100** to the government for the management of the ACE transfer program.

VMS REQUIREMENTS

Based on estimates used in the renewal of OMB Control No. 0648-0202, there is a \$25 per hour wage and overhead cost to the Government associated with the call-ins to verify proof of VMS installation and processing of the VMS Certification Form. Assuming 147 vessels purchase new VMS units, the total annualized cost to the government for receiving verification calls and processing certification forms is estimated at **\$306** (147 vessels X 15 minutes/verification X \$25/hour/3 years). There is no cost to the Federal government associated with automated VMS polling of vessel position.

AREA AND DAS DECLARATION

The only cost incurred by the Federal government from this requirement is associated with software used to process the transmissions. These software costs are included in the general costs of operating and administering the VMS program, which are estimated at **\$352,293 annually**. This requirement will not add any additional burden to the Federal government.

BROAD STOCK AREA REQUIREMENTS

The VMS catch reports from vessels fishing in multiple broad reporting areas will be transmitted to NMFS via VMS. The costs associated with the transmission of this message will be borne by the individual vessels. The only cost incurred by the Federal government from this requirement is associated with software used to process the transmissions. These software costs are included in the general costs of operating and administering the VMS program, which are estimated at \$352,293 annually. This requirement will not add any additional burden to the Federal government.

CATCH REPORTING REQUIREMENTS

The VMS catch reports from vessels fishing in SAPs will be transmitted to NMFS via VMS. The costs associated with the transmission of this message will be borne by the individual vessels. The only cost incurred by the Federal government from this requirement is associated with software used to process the transmissions. These software costs are included in the general

costs of operating and administering the VMS program, which are estimated at \$352,293 annually. This requirement will not add any additional burden to the Federal government.

DOCKSIDE MONITORING AND REPORTING REQUIREMENTS

Hails and Confirmations

Trip-Start Hail

Individual vessels will hail to dockside monitoring providers before the start of a trip via telephone or an email via VMS. The cost of this transmission will be borne by the individual vessels making the hails and, therefore, this requirement is not expected to add an additional cost burden for the Federal government.

Trip-Start Hail Confirmation

This hail confirmation will be by phone or email via VMS from the dockside monitoring providers to individual vessels in response to the trip-start hail. The cost of this hail will be borne by the vessels receiving the transmissions and, therefore, this requirement is expected to have no cost burden for the Federal government.

Trip-End Hail

Individual vessels will hail to dockside monitoring providers at the end of a trip by email via VMS. The cost of this transmission will be borne by the individual vessels making the hails and, therefore, this requirement is expected to have no cost burden for the Federal government.

Trip-End Hail Confirmation

This requirement consists of a VMS transmission from the dockside monitoring providers to individual vessels. The cost of this transmission will be borne by the vessels receiving the transmissions and, therefore, this requirement is expected to have no cost burden for the Federal government.

Forwarding of Hails to NMFS

This requirement applies to individual sectors and monitoring providers. The cost of forwarding hails will be borne by the individual sectors, by forwarding the hails themselves or as part of the contract with their monitoring providers. Therefore, this requirement is expected to have no cost burden for the Federal government.

Notification of Monitor Emergency

Cost burden to the Federal government associated with this requirement was estimated as the cost of having staff take the five minute phone calls from providers for an estimated 25% of trips. The cost of phone service was not factored into this estimation, because it was assumed it would be covered under NMFS' regular phone service costs. A wage rate of \$25 per hour and a total hour burden of 521 hours [(5 min/call x 6,250 calls)/60 min] results in a total estimated cost burden to the Federal government of **\$13,021** (\$25/hour x 521 hours).

Database and Data Entry Requirements

Dockside Monitoring Provider Database

This requirement is for providers providing dockside monitoring services to maintain a database of dockside monitor reports, deployments, and other data. The cost of complying with this requirement will be borne by the dockside monitoring providers and, therefore, this requirement is expected to have no cost burden for the Federal government.

Dockside Monitoring Provider Reporting Requirements

As outlined above, dockside monitoring providers must submit a number of reports, if requested. These reports include: reports of monitor deployments, reports including catch/discard data, reports of harassment, copies of contracts, copies of additional materials, and ensuring that monitors remain available for debriefing for two weeks following a monitored trip. Including the cost of reviewing the cost of review (20,607.5 hours) these documents and conducting a debrief (at \$35 per hour), these requirements are anticipated to cost \$721,263.

AT-SEA MONITORING AND REPORTING REQUIREMENTS

Hails and Notifications

Pre-Trip Notification

Individual vessels will notify the at-sea monitoring providers of their intent to take a trip by phone. The cost of this phone call would be covered by the individual vessels making the notification and, therefore, this requirement is expected to have no cost burden for the Federal government.

Vessel Notification of Selection for Coverage

This requirement consists of a phone call from an at-sea monitoring provider to an individual vessel, upon receipt of the pre-trip notification, notifying the vessel that it has been selected for at-sea monitoring coverage. The cost of this notification will be borne by the at-sea monitoring provider and, therefore, this requirement is expected to have no cost burden for the Federal government.

Database and Data Entry Requirements

At-Sea Monitoring Provider Database

This requirement is for providers providing at-sea monitoring services to maintain a database of at-sea monitor reports, deployments, and other data. The cost of complying with this requirement will be borne by the at-sea monitoring providers and, therefore, this requirement is expected to have no cost burden for the Federal government.

NMFS Data Processing²

NEFOP staff will receive data directly from at-sea monitors via an electronic method that is not expected to change the cost burden associated with the administration and operation of NEFOP. However, NEFOP will process this data in accordance with NEFOP procedures, before making it available to the public. Assuming a 30% coverage rate and that all groundfish trips are made by sector vessels, NEFOP will process data from 7,500 monitor reports annually. An estimate of 30

² There was no similar item under Dockside Monitoring: NMFS is not responsible for the Dockside monitoring database. At sea monitoring data is processed by the government (NEFOP) in accordance with NEFOP standards. Dockside Monitoring Data is not.

minutes to process each report at a pay rate of \$35 per hour, the total cost to the government will be **\$131,250** (0.5 hours/report x 7,500 reports) x \$35/hour).

At-Sea Monitoring Provider Reporting Requirements

As outlined above, at-sea monitoring providers must submit a number of reports, if requested. These reports include: reports of monitor deployments, reports including catch/discard data, reports of harassment, copies of contracts, copies of additional materials, and ensuring that monitors remain available for debriefing for two weeks following a monitored trip. Including the cost of review (20,607.5 hours) these documents and conducting a debrief (at \$35 per hour), these requirements are anticipated to cost \$721,263.

NORTHEAST FISHERY OBSERVER TRIP NOTIFICATION

The cost calculations for observer deployment are based on \$25 per hour wage and overhead value for the Government. There are an estimated 25,000 fishing trips per year that would be notifying NEFOP of a scheduled trip. Each response to an observer coverage request is expected to take 2 minutes to complete, thus the annualized cost to the Government is \$22,075.

DEALER REQUIREMENTS

The Federal government will not incur any additional costs based on this requirement.

DAS TRANSFER PROGRAM

Costs associated with the DAS Transfer program reflect a cost of \$25/hour to the Government. The cost to the government for the DAS Transfer program is expected to require 10 minutes per request. This results in an annualized cost to the government of \$5,950 (1,400 applications x 10 minutes/response x \$25/hour) to review DAS transfer requests. Additional costs likely to be incurred by the government include the costs of distributing confirmations of the DAS transfer to both parties (\$0.90). These confirmations would be mailed to the participants resulting in postage costs of \$1,260. This results in an overall cost of \$7,210 to the Government for management of the DAS Transfer Program.

SUBMISSION OF PROPOSED SAPs

Applications for proposed SAPs would be required to meet a number of requirements prior to their approval by the Council and the RA. These applications would require extensive review by NMFS staff. It is expected that each application would take approximately four (4) hours to review. Using a wage rate of \$25 per hour for wages and overhead, review of an SAP submission has an estimated annualized cost to the Government of \$100.

NAFO REPORTING REQUIREMENTS

There is no monetary burden associated with this requirement.

Total government costs would be \$1,638,912.

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

Program Changes

VMS Trip Catch Reports (Broad Stock Requirements) increased from 105 vessels, 1,100 reports and 275 hours to 100 vessels, 3,050 reports and 763 hours and due to the change, costs increased from \$2,451 to \$6,795.

Net total program changes: An increase of 1,950 responses, 488 hours and \$4,344. This is an annual increase of approximately 20 responses, 8 hours and \$43 per affected vessel.

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

Results from this collection may be used in scientific, management, technical, or general informational publications such as Fisheries of the United States, which follows prescribed statistical tabulations and summary table formats. Data are available to the general public on request in summary form only. Data are available to NMFS employees in detailed form on a need-to-know basis only.

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

This collection does not employ statistical methods.