

**SUPPORTING STATEMENT
PACIFIC ISLANDS CRUSTACEAN FISHERIES PERMIT
OMB CONTROL NO. 0648-0586**

This request is for extension and revision of the current information collection. This collection originally covered permitting, vessel identification, and reporting requirements for deepwater shrimp fisheries in the Pacific Islands region. The reporting requirement was moved into OMB Control No. 0648-0214 and the vessel identification requirement was moved into OMB Control No. 0648-0360. Lobster permit applications were previously covered by OMB Control No. 0648-0490, but now are consolidated into this collection, so the name is changed to cover permits for all crustacean fisheries. Minor changes were made to the permit application form.

A. JUSTIFICATION

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

[The Magnuson-Stevens Fishery Conservation and Management Act](#) (Magnuson Act) established regional fishery management councils, including the Western Pacific Fishery Management Council (Council), to develop fishery ecosystem plans (FEPs) for fisheries in the United States (U.S.) exclusive economic zone (EEZ). These plans, if approved by the Secretary of Commerce, are implemented by Federal regulations, which are enforced by the National Oceanic and Atmospheric Administration (NOAA) Fisheries Office for Law Enforcement (OLE) and the U.S. Coast Guard (USCG), in cooperation with State agencies to the extent possible. The FEPs are intended to manage fishing to ensure sustained productivity and achievement of optimum yield from the resources for the benefit of the U.S.

Vessel owners who use their vessels to fish for lobster or deepwater shrimp (*Heterocarpus* spp.) in Federal waters of the Pacific Islands region are required under Federal regulations ([50 CFR Part 665](#)) to obtain a Federal permit.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

Information is collected via a National Marine Fisheries Service (NMFS) permit application process. Permits are valid for one calendar year and may be renewed annually. Information from the permit application form will allow NMFS to confirm the identity of the permit holder and applicant, and to determine whether the applicant qualifies for the permit. Vessel-related information such as vessel documentation or registration, ownership, managing ownership, etc., are used by NMFS to determine whether the applicant is an owner of a U.S. documented/registered vessel. The information may also be used by OLE, USCG, and the Council.

The permit application now asks for TIN (EIN or SSN), where formerly, it asked for TIN if a business. Some business owners do not have EINs, in which case they would use their SSN as TINs. Some instructions were added, along with a statement regarding truthfulness of the information. Both clean and highlighted versions of the revised permit have been submitted.

NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with Federal law and regulations, and NOAA policies 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.

At this time, the information will be collected on paper forms and does not require any knowledge of automated, electronic, mechanical or other forms of information technology. However, fillable Acrobat permit application forms may also be downloaded from http://www.fpir.noaa.gov/SFD/SFD_permits_index.html for completion, printing and mailing.

4. Describe efforts to identify duplication.

There is no similar crustacean fisheries permit requirement for vessels fishing in EEZ waters of the Pacific Islands region.

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

NMFS provides Federal crustacean fisheries permit applications online and at the NOAA Fisheries Honolulu Service Center at Pier 38, Honolulu harbor, to reduce the burden of time spent applying or ordering by mail. Applicants may download, print, and then mail the applications to NMFS or drop them at the Honolulu Service Center. NMFS may deliver the completed permits via U.S. mail or provide them to applicants at the Honolulu Service Center.

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

Without this collection or if it is collected less frequently, NMFS will be unable to properly evaluate activity and participation in the western Pacific lobster or deepwater shrimp fishery. It will be difficult to monitor the fisheries and their participants, determine entry and exit patterns, and provide information needed to ensure full impact analysis for fisheries management programs. Without this information enforcement agents will not be able to identify current fishery participants for compliance monitoring purposes and NMFS would be unable to consult with permit holders on regulatory changes.

Without the information collected by means of the permit applications, NMFS and the Council would be unable to determine whether management is achieving the objectives of the FEPs and the Magnuson-Stevens Act.

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

None.

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

A Federal Register Notice (80 FR 17391), published on April 1, 2015, solicited public comments on this submission. No comments were received.

In addition, NMFS solicited comments from five individuals from the public and fishing industry. One individual responded.

Comment 1: Commenter made editorial suggestions for the supporting statement.
Response: NMFS thanked the commenter and incorporated the suggestions.

Comment 2: Commenter asked questions about the permit application form.
Response: NMFS responded to the questions with further clarification. Made minor changes to the permit form instructions.

Comment 3: Commenter felt that availability of data, frequency of collection, clarity of instructions (see Comment 2), disclosure, reporting format, and data elements were acceptable.
Response: NMFS thanked the commenter for responses.

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

No payments or gifts are provided.

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

As stated on the forms, under Section 402(b) of the Magnuson-Stevens Act, amended in 2006, and [NOAA Administrative Order 216-100](#), information submitted in accordance with regulatory requirements under the Act is confidential. This includes personal and proprietary information contained in the permits.

A Privacy Act System of Records Notice, COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries, was published in the Federal Register on April 17, 2008 and became effective on June 11, 2008. A revised version is under review at DOC.

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

No questions are asked of a sensitive nature.

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

NMFS expects to receive up to 10 permit applications or renewals for crustacean fisheries permits each year. Applicants are expected to spend 15 minutes completing the application. Thus, the total burden to fishermen for permit applications is estimated at **2.5 (3)** hours per year.

13. Provide an estimate of the total annual cost burden to the respondents or recordkeepers resulting from the collection (excluding the value of the burden hours in Question #12 above).

There is no start-up or capital cost for complying with this requirement. Paper forms provided by NMFS will be used by the respondents for providing information. Electronic forms are an option that will be provided later, but would be voluntary on the respondent's part and presumably would be used only if the respondent already possessed the requisite equipment. The maximum estimated cost to respondents for postage, faxes, copies, etc., related to this collection is \$10.00 per year, or about \$1.00 per response. Applicants for deepwater shrimp permits are required to submit a non-refundable application processing fee of \$48. Estimating that six of the 10 applications would be for shrimp, the total fees would be \$288.

Total: 10 applications x \$1 + 6 shrimp applications x \$48 = \$298.

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

The estimated annual cost to the Federal government to administer this collection of information of **\$150** per year includes the cost to process permit applications and issue permits (10 applications x 0.5 hr/each x \$30/hr = \$150).

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

Program changes: Vessel identification and reporting requirements were removed from this collection; net reductions: 510 responses, 91 hours and \$425 in costs. One permit application was added but the current response estimate covers both lobster and shrimp responses (4 lobster and 6 shrimp). **Also, a \$48 fee was added to the shrimp application, adding \$288.**

Adjustment: The shrimp permit application time was changed from 30 minutes to 15 minutes. This removes 1.5 (2) hours.

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

No formal scientific publications based on these collections are planned at this time. NMFS and the Council will use the data (primarily in an aggregated, non-confidential format) for developing management reports and fishery ecosystem plan amendments and evaluations. However, subsequent use of the data collected over a series of years may include scientific papers and publications.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

Not Applicable.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are employed.