

**Supporting Statement
for
Requirements for Vessels that Perform Certain Aquaculture Support Operations**

(w/ new requirements per USCG-2015-0086; RIN 1625-AC23)

OMB No.: 1625-0126
COLLECTION INSTRUMENTS: Instructions

A. Justification

1) Circumstances which make the collection of information necessary. _

Under Title 46 of the United States Code (U.S.C.) section 12102(d)(1), the Secretary of the Department of Transportation (DOT) may issue a waiver allowing a documented vessel with a registry endorsement or a foreign-flagged vessel to be used in operations that treat aquaculture fish for or protect aquaculture fish from disease, parasitic infestation, or other threats to their health if it is found that a suitable vessel of the United States is not available to perform those services. The Coast Guard proposes to amend 46 CFR Subchapter I – Cargo and Miscellaneous Vessels, by adding a new part 106 that will establish the requirement for owners or operators of vessels that are issued a waiver by the Secretary of DOT for the purpose of conducting certain aquaculture support operations, to notify the Coast Guard that such a waiver has been issued. The proposed part will also establish operational and geographic requirements for vessels that are issued such a waiver.

This information collection supports the following strategic goals:

Department of Homeland Security

- Awareness

Coast Guard

- Maritime Security
- Maritime Stewardship

Prevention Policy & Response Policy Directorates (CG-5P & CG-5R)

- Economic Growth and Trade/Mobility: Reduce interruptions and impediments that restrict the economical movement of goods and people, while maximizing safe, effective, and efficient waterways for all users.

2) Purposes of the information collection. _

This information is used by the Coast Guard to ensure compliance with any vessels that obtain waivers to conduct certain aquaculture support operations.

3) Considerations of the use of improved technology.

Copies of the waivers can be submitted through the mail or by email. We estimate that 100% of the reporting and recordkeeping requirements will be done electronically.

4) Efforts to identify duplication. _

There is no State or local agency that requires this information collection. The Coast Guard has worked to minimize any duplication of information collection efforts by the government. The information collected from this effort may be used by other agencies in support of their own goals.

5) Methods to minimize burden to small businesses involved. _

This collection does not have an impact on small businesses or other small entities.

6) Consequences to the Federal program if the collection was conducted less frequently.

Waivers to conduct certain aquaculture support operations are issued annually. Annual information collections are necessary to ensure the vessel's continued compliance. Less frequent collection is not acceptable for the administration of this regulation.

7) Special collection circumstances.

This information collection is conducted in a manner consistent with guidelines in 5 CFR 1320.5(d)(2).

8) Consultation.

The Coast Guard published on July 30, 2015, a Notice of Proposed Rulemaking (NPRM) entitled "Requirements for Vessels with Registry Endorsements or Foreign-Flagged Vessels that Perform Certain Aquaculture Support Operations" (Aquaculture VsIs) [USCG-2015-0086; RIN 1625-AC23; 80 FR 45491]. The rulemaking proposed—

- to amend the regulations to implement Section 901(c) of the Coast Guard Authorization Act of 2010 that grants the Secretary of the U.S. Department of Transportation (DOT) the authority to issue a waiver allowing a documented vessel with only a registry endorsement or a foreign-flagged vessel to be used in certain aquaculture operations. Specifically, those operations include the treatment and/or protection of aquaculture fish from disease, parasitic infestation, or other threats to their health. The proposed part would establish the requirement for an owner or operator of a vessel who is issued a waiver by the Secretary of DOT to notify the Coast Guard that the vessel owner or operator has been issued a waiver that allows the vessel to conduct certain aquaculture support operations. The proposed part would also establish operational and geographic requirements for vessels that are issued such a waiver.

The NPRM 90-day comment period closed on October 28, 2015. The Coast Guard received no collection of information-related comments to the NPRM. On September 15, 2016, the Aquaculture VsIs Final Rule was published [81 FR 63420].

9) Provide any payments or gifts to respondents.

There is no offer of monetary or material value for this information collection.

10) Describe any assurances of confidentiality provided to respondents.

There are no assurances of confidentiality provided to the respondents for this information collection. This information collection request is covered by the Marine Information for Safety and Law Enforcement (MISLE) Privacy Impact Assessment (PIA) and System of Records Notice (SORN). Links to the MISLE PIA and SORN are provided below:

- https://www.dhs.gov/sites/default/files/publications/privacy_pia_uscg_misle.pdf
- <https://www.gpo.gov/fdsys/pkg/FR-2009-06-25/html/E9-14906.htm>

11) Additional justification for any questions of a sensitive nature.

There are no questions of sensitive language.

12) Estimates of annual hour and cost burdens to respondents.

- The estimated annual number of respondents is 1.
- The estimated annual number of responses is 2.
- The estimated annual hour burden is 1 hour.
- The estimated annual cost burden is \$36.

The burden to respondents is provided in Appendix A. We estimate that it will take 0.5 hours burden per vessel to copy the waiver and send the information to the Coast Guard. There is one entity that applies

for waivers for two vessels annually. Assuming this task is performed by a legal assistant at a loaded hourly rate of \$35.70¹, the annual cost burden for this requirement is \$36.

13) Total annualized capital and start-up costs. _

There are no estimated capital or start-up costs associated with this information collection.

14) Estimates of annualized Federal Government cost. _

The estimated annual Federal Cost is \$81 (See Appendix B). It takes the Coast Guard an average of 0.5 hours for a GS-13 to record information from each application. The wage rates used are in accordance with the current edition of COMDTINST 7310.1(series) for "In-Government" personnel.

15) Reasons for the change in burden. _

This is a new collection.

16) Plans for tabulation, statistical analysis and publication.

This information collection will not be published for statistical purposes.

17) Approval for not explaining the expiration date for OMB approval.

The Coast Guard will display the expiration date for OMB approval of this information collection.

18) Explain each exception to the certification statement. _

The Coast Guard does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods

This information collection does not employ statistical methods.

¹ BLS May 2014 National Occupational Employment and Wage Estimates, United States, for a "Paralegal and Legal Assistants", Mean hourly wage.