

**SUPPORTING STATEMENT  
MANDATORY SHRIMP VESSEL AND GEAR CHARACTERIZATION SURVEY  
OMB CONTROL NUMBER 0648-0542**

**Introduction**

This request is for an extension of this current information collection.

**A. Justification**

**1. Explain why you need to conduct the information collection.**

The National Marine Fisheries Service (NMFS) is currently collecting census-level information on fishing vessel and gear characteristics in the Gulf of Mexico (Gulf) commercial shrimp fishery (Gulf shrimp fishery), which operates in the Gulf exclusive economic zone. NMFS uses this information to conduct analyses that improve fishery management decision-making and ensure that national goals, objectives, and requirements of the [Magnuson-Stevens Fishery Conservation and Management Act](#) (Magnuson-Stevens Act, 16 U.S.C. 1801 et seq.), [National Environmental Policy Act](#) (NEPA), [Regulatory Flexibility Act](#) (RFA), [Endangered Species Act](#) (ESA), and [Executive Order \(E.O.\) 12866](#) are met; and quantify achievement of the performance measures in the NMFS' Operating Plans. This information is vital in assessing the economic, social, and environmental effects of fishery management decisions and regulations on individual shrimp fishing enterprises, fishing communities, and the Nation as a whole. Recordkeeping requirements for this information collection under the Magnuson-Stevens Act are codified at [50 CFR 622.51\(a\)\(3\)](#).

Collection of vessel and gear characterization and fishing effort information is necessary, supplemental information to the core economic, social, and biological information regarding the Gulf shrimp fishery that is vital to the optimum yield management of marine fishery resources as mandated under the Magnuson-Stevens Act. The term "optimum" is defined under section 104-297 of the Act, as: (A) will provide the greatest overall benefit to the Nation, particularly with respect to food production and recreational opportunities, and taking into account the protection of marine ecosystems; (B) is prescribed as such on the basis of the maximum sustainable yield from the fishery, as reduced by any relevant economic, social, or ecological factors; and (C) in the case of an overfished fishery, provides for the rebuilding to a level consistent with producing the maximum sustainable yield in such a fishery.

In the Gulf shrimp fishery, controversy exists regarding estimates of fishing effort, bycatch (particularly with respect to red snapper and other finfish), sea turtle interactions, and overcapacity. This controversy has led to multiple lawsuits filed against NMFS and Congressional level inquiries into the adequacy of the science used to generate these estimates and the policy decisions that have resulted. The need for more accurate data and additional analyses continue, in order to increase the certainty and confidence in these estimates and thereby resolve these conflicts.

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

The mandatory vessel and gear characterization survey is a census data collection effort of all shrimp vessel owners or operators who possess a valid federal Gulf commercial shrimp fishing permit. NMFS began collecting these survey data in 2006 under Office of Management and Budget (OMB) Control No. 0648-0542 per the final rule implementing Amendment 13 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (Amendment 13) (71 FR 56039, September 26, 2006).

The vessel and gear survey annually updates existing data and continues data collection efforts for this significant fishery. NMFS currently collects other information from Gulf commercial shrimp vessels pertaining to their fishing activities, trip dates, landings, and other information through port agents, electronic logbooks, and mandatory dealer reports. Prior to this annual survey, little data related to vessel and gear characteristics at the individual vessel level have been collected through other means.

Completion of the annual survey is required to renew a Gulf commercial shrimp permit. NMFS' Southeast Fisheries Science Center (SEFSC) mails the annual survey to all Gulf shrimp permit holders beginning in January each year. Requiring completion of the survey shortly before permit renewal, with renewal contingent upon survey completion<sup>1</sup>, ensures that all permitted fishermen will be included in the census and each fisherman will only be surveyed once per annum. NMFS anticipates that the survey effort will continue in future years.

One of the primary purposes of collecting vessel and gear characterization data at the census level is so that it can be used to develop statistically valid sampling designs for the other aforementioned data collection programs. It is believed that the creation of stratified, random sampling designs for these data collection programs is necessary to ensure that the data, and the estimates of the fishery performance measures based on that data, are accurate (e.g., representative of the fishery's actual performance). The various vessel and gear characteristics serve as strata in these sampling designs.

The information collected by the vessel and gear characterization survey is used by NMFS economists, social scientists, and biologists to help evaluate the performance of existing regulations (e.g., bycatch reduction devices (BRDs), turtle exclusion devices (TEDs), time or area closures, etc.), and the impacts that changes to those regulations may have on individual fishermen, the shrimp fishing industry as a whole, and fishing communities. In addition, the vessel and gear characterization data are further linked to various biological, social, and economic data collected by other means.

It is anticipated that the information collected will be available to the public through technical memoranda and similar publications, or used to support publicly disseminated information, such

---

<sup>1</sup> The Gulf shrimp fishery requires a limited-access federal permit, and there is a moratorium on new federal Gulf shrimp permits until October 26, 2026. If a person buys or transfers a permit on January 1, 2017, before this person's permit can be renewed in 2018, they would have to complete a survey form. This would also be noted as a condition of renewal in the mail-out that NMFS sends out in the renewal packet to the new owner of the permit.

as analyses contained within documents distributed by the Gulf of Mexico Fishery Management Council (Council). Data may be reported according to the various types of nets, TEDs, BRDs or electronic equipment that is generally used, which will allow comparisons and evaluations of alternative vessel and gear configurations by analysts and vessel owners.

### **Justifications for Questions**

The questions contained on the vessel and gear survey form are needed to collect data as required by regulations implementing Amendment 13. All but Question 1 are focused on activity in the past year. Questions 1-4 ask for year of vessel purchase, by whom the vessel was operated in the past year, and in what areas and fisheries the vessel was operated. Questions 5-11 pertain to the most frequent type of gear used. Questions 12-13 pertain to the most frequently used BRD. Questions 14-26 pertain to the most frequently used TED. Question 27 asks for a list of all electronic equipment used on the vessel.

These annually collected data are required to assess the fishery, aiding in the informed management decision-making process. This information helps to estimate vessel profitability and aggregate economic impacts associated with the vessel and local shrimp fishing industry. Additionally, economic theory suggests that organizational structure can impact who makes decisions within the fishing business, how those decisions are made, and what the goals or objectives of the fishing business might be which in turn will affect the vessel's productivity and economic performance. These data will provide information about the average length of trips and how many days of fishing occurred during a calendar year. This information will help to determine which fishermen are full time participants, who are part-time, the level of dependency that each has on this fishery, and the potential impacts that federal regulations may have on them.

The questions contained in this form will also collect information which will help to assess the relative performance of different BRDs with respect to bycatch reduction and shrimp loss, and thus the socioeconomic and environmental impacts of potential changes in BRD regulations on individual fishing enterprises, fishing communities, and the environment. In addition, information about the types of TEDs actually in use will help to assess the socioeconomic impacts of federally mandated TED regulations on individual fishing enterprises and fishing communities, especially in light of recent changes to the TED regulations. Information on the relative performance of alternative TEDs and BRDs will be useful to both managers and fishermen.

NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NMFS' 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.**

NMFS mails the annual surveys to all permit holders early in each respective year. NMFS also includes a pre-paid envelope for the respondents to return the survey. Responses are entered into a database, designed specifically for this purpose, and data will be periodically transmitted to SERO Fisheries Social Sciences Office. There will be no other means, electronic or otherwise, to submit data or information for the purposes of the survey form at this time. However, in the future, if an electronic permit renewal system is established, the survey form could potentially be included as part of that system.

**4. Describe efforts to identify duplication.**

The collection of the data requested in the vessel and gear survey form is unique in its detail and specificity to individual fishing entities and their general operation. There will be no duplication of the vessel and gear characterization information being gathered from the federal Gulf shrimp permit holders. The electronic logbook requirement does not include the information being collected on this form. These data will be linked to the socioeconomic survey data, shrimp dealer landings data collected by NMFS port agents, electronic logbook data, shrimp permit data, and data from the U.S. Coast Guard Vessel Documentation program. A draft of this form originally went through several internal and external reviews to ensure that there was no duplication.

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

Although some Gulf shrimp permits are thought to be held by businesses with the same or substantively the same individual owners, and thus would likely be considered affiliated, ownership data for Gulf shrimp permit holders is incomplete, and thus, it is not currently feasible to accurately determine whether businesses that have these permits are in fact affiliated and, therefore, conclude whether businesses are large or small. NMFS is currently making changes to its permit application forms so that such determinations can be accurately made in the Gulf shrimp fishery. As a result of the incomplete vessel ownership data, NMFS currently assumes each vessel is independently owned by a single business. Using gross annual revenue from businesses with a federal Gulf shrimp permit, all permit holders subject to this information collection are considered to be small businesses.

Only the minimum data to meet the current and future needs of NMFS management, stock assessments, and permitting programs are requested from all permit applicants. The results of this data collection effort are expected to improve the economic conditions of small fishing entities by affording fishery management agencies the information needed to better consider social and economic factors in management plans and regulations.

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

Without this information or if it is collected less frequently, various user groups will continue to express a lack of confidence in NMFS' estimates of fishing effort, bycatch (particularly with

respect to red snapper and other finfish), sea turtle interactions, and overcapacity in this fishery, and thus in the various analyses and assessments that make use of these estimates. This information is vital in assessing the economic, social, and environmental effects of alternative fishery management decisions and regulations on individual fishing enterprises, fishing communities, and the nation as a whole as per the requirements of the Magnuson-Stevens Act, NEPA, RFA, ESA, and E.O. 12866. A continued lack of confidence in the data and analyses being used to support controversial policy decisions will only serve to continue and exacerbate existing conflicts between user groups.

Regulations regarding BRDs, TEDs, and time or area closures have changed fairly often in the past, and are likely to change in the future as economic, social, and environmental conditions change. The economic and social conditions in this fishery have been dynamic in recent years, even more so than historically. Thus, collecting this information on at least an annual basis, as opposed to every two or more years, is necessary to ensure that currently representative data are being used in the various analyses. Without this information, it will be very difficult to accurately evaluate the performance of existing regulations (e.g., BRDs, TEDs, time or area closures, etc.), and the impacts that changes to those regulations may have on individual fishermen, the fishing industry as a whole, and fishing communities. More specifically, it will be difficult to generate accurate analyses of the various policy alternatives that NMFS and the Council may consider with respect to determining the significance of economic impacts on small entities, as required by the RFA; how best to achieve the maximization of net benefits to society, as required by E.O. 12866; and the impacts on the environment, as required by NEPA. Without this information, it will be quite difficult to determine whether: 1) bycatch in the fishery is being minimized to the extent practicable as per the requirements of National Standard 9 to the Magnuson-Stevens Act; 2) the fishery is operating in a manner consistent with existing regulations that have been implemented under the ESA; 3) abundance is changing as a result of environmental or human related factors, and to what extent; and 4) the fleet's fishing capacity is at an economically sustainable level.

Without the data collected by the vessel and gear characterization form, confidence in the data and estimates of the fishery performance measures arising from these complementary programs will be low, as will be any policy decisions based thereon. Further, if the information is not collected at the census level, it cannot be used to develop random sampling designs for other data collection programs in this fishery.

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

The collection is consistent with OMB guidelines.

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

NMFS published a Federal Register notice on October 6, 2016 (81 FR 69515), and solicited public comments on the continuation of this collection of information. No comments were received.

In January 2017, NMFS contacted 11 permit holders in the Gulf shrimp fishery regarding the vessel and gear survey. These permit holders estimated that the survey form requires about 10 to 30 minutes to complete each year with all of the measurements and effort data readily available. To account for permit holders that are potentially unfamiliar with the survey form, NMFS uses the higher-end estimate of 30 minutes per response annually.

The contacted permit holders also had other suggestions to reduce the time burden to complete the form and to streamline the questionnaire itself. The first suggestion was to make the form available in both electronic and paper formats. However, NMFS does not currently have a technical mechanism for permit holders to enter the confidential and official data collected through a secure internet process. NMFS mails a hardcopy form once a year, and again upon request. However, all of the current and past data survey forms are available for download on the NOAA Fisheries Galveston Web site year round. Permit holders may return the forms to NMFS either through the pre-paid envelope provided with the initial paper copy, or if preferred, they may also return the completed form via fax or email.

The second suggestion was to move effort questions 3 and 4, asking for sea days and number of trips, respectively, to the Annual Landings form, under OMB Control No. 0648-0205. The permit holder reasoned that by moving those questions, the vessel and gear survey form would be strictly asking gear-related questions and the effort data would seem to be more appropriate on a form asking about catch information. At this time, these data are still required on the vessel and gear survey form. This is a “stand-alone” survey. The results from the vessel and gear survey form under this information collection may not be used in conjunction with the form under OMB Control No. 0648-0205.

The third suggestion was to make a check box available on the survey form to indicate that no data changes occurred from the previous year. This change is not possible currently, because, unless each permit holder retains a copy of the previous year’s paper form, which NMFS could not confirm, permit holders and NMFS are not be able to verify whether the data submitted in the previous year are those that permit holders are comparing to in the current year. In addition, NMFS has concerns about potential misuse, which would adversely affect data quality.

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

No monetary payments or other remuneration will be made.

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

As stated on the survey instrument, all data that permit holders submit are treated as confidential in accordance with the Magnuson-Stevens Act (16 U.S.C. 1881a, 402b, Confidentiality of Information) and NOAA Administrative Order 216-100.

**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 included in this survey.

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

The maximum number of respondents is 1,441, which, as of January 9, 2017, is the maximum number of valid and renewable permits in the Gulf shrimp fishery. The time per response is estimated to average 30 minutes, for a total annual burden of 721 hours. Information gathered on the survey form should be readily available to vessel owners or operators, based on their memory or written documentation, such as fishing logs.

**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).**

There will be no financial cost to the public to participate in this study (excluding valuation of respondents' time). The survey is mailed to the permit holders and it is accompanied by a pre-paid envelope for the respondents to return the survey to the NMFS Galveston Laboratory.

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

The average annualized cost to the Federal government is estimated to be approximately \$13, 229.

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

The reduction in number of respondents from 1,529 to 1,441 is due to a reduction in the fleet size of the shrimp fishery. The increase in the total burden hours from 510 to 721 results from increasing the estimated time per response from 20 to 30 minutes annually, based on feedback from permit holders.

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

These data will be published using an aggregated, non-confidential, and summarized format with generalized tables in an annual NMFS technical memorandum or similar report. Project reports will provide documentation about the survey methodologies, survey instrument, and an assessment of the validity of the collected data.

**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.