

**SUPPORTING STATEMENT
GREATER ATLANTIC REGION, ATLANTIC SEA SCALLOP FISHERY
MANAGEMENT PLAN DATA COLLECTION
OMB CONTROL NO. 0648-0491**

INTRODUCTION:

This Paperwork Reduction Act (PRA) submission requests Office of Management and Budget (OMB) approval of extension of the information collection requirements pertaining to the Atlantic Sea Scallop Fishery Management Plan (FMP) under OMB Control No. 0648-0491.

A. JUSTIFICATION

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

Under the [Magnuson-Stevens Fishery Conservation and Management Act](#) (Magnuson-Stevens Act), the Secretary of Commerce (Secretary) has responsibility for the conservation and management of marine fishery resources off the coast of the United States. The majority of this responsibility has been delegated to the Fishery Management Councils and the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS). NMFS manages the Atlantic sea scallop (scallop) fishery through a set of regulations that limit catch of scallops and fishing vessel activity. In addition, regulations limit catch of certain other species of fish in order to minimize bycatch and bycatch mortality (bycatch is the catch and discard of species that are not targeted in the scallop fishery). Finally, the regulations control vessel permitting and the exchange of effort and quota allocations between vessels. In order to effectively manage the fishery, track fishing effort and catch, and to allow vessel owners to exchange fishing trips and quota, NMFS must collect information through the reporting requirements included in this renewal. All of the collection requirements remain necessary without revision.

This current extension includes the same information collection requirements as previously, except that it removes the requirement to collect the Replacement, Upgrade, and Permit History (RUPH) and Ownership forms that are now collected under OMB Control No. 0648-0202. To successfully implement and administer components of the FMP, OMB Control No. 0648-0491 includes the following information collections:

1. Vessel monitoring system (VMS) requirements:
 - Trip declaration, including powerdown provisions
 - VMS purchase and installation
 - VMS daily catch reports
 - VMS prelanding notification form
 - VMS state waters exemption enrollment
2. Access area trip exchange application procedures
3. IFQ Transfers
4. Cost Recovery
5. IFQ Sector Program

VMS Requirements

VMS requirements under the FMP apply to all vessels issued a scallop permit and VMS serves as an important enforcement and fishery monitoring tool. The details of the VMS requirements are provided below. Enforcement officials utilize VMS data to monitor vessel activity relative to scallop access areas and fishery closure areas. NMFS monitors vessel activity relative to fleetwide trip allocations and uses information submitted through VMS to monitor catch relative to fishery total allowable catch (TAC).

Trip Declaration and Powerdown

Vessels issued limited access and LAGC Individual Fishing Quota (IFQ) and Northern Gulf of Maine (NGOM) scallop permits are required to declare a fishing activity code prior to leaving port. This enables NMFS to monitor a vessel's fishing activity, vessel allocation, catch, and trip information relative to catch and trip limits under the FMP. Owners/operators of LAGC IFQ and NGOM vessels can also turn their VMS units off when the vessel is tied to the dock or mooring to reduce electrical power costs when the vessel is inactive. Prior to turning off the VMS unit, the owner/operator must submit a powerdown declaration through VMS indicating to NMFS that the vessel is inactive. This serves the dual purpose of enabling the vessel owner/operator to make this declaration through an efficient system and enables NMFS to have real-time vessel activity status.

VMS Purchase and Installation

Vessels that are issued LAGC permits are required to purchase, install, and maintain a VMS on their vessel. VMS reporting requirements include trip declaration, power down, and polling frequency requirements. This VMS requirement has been implemented to improve scallop regulation enforcement and oversight of the above permit restrictions and requirements.

VMS Catch Reports

The owner or operator must submit reports through the VMS for each day fished when declared in the Sea Scallop Area Access Program, including trips accompanied by a NMFS-approved observer. The reports must be submitted in 24-hour intervals, for each day beginning at 0000 hours and ending at 2400 hours. The reports must be submitted by 0900 hours of the following day and must include:

- Total pounds of scallop meats kept,
- Date fish were caught,
- The Fishing Vessel Trip Report log page number, and
- Total pounds of all other species kept and

Submission of this information on a daily basis is needed for monitoring scallop catch.

VMS Prelanding Reports

The FMP requires individual fishing quota (IFQ) and Northern Gulf of Maine (NGOM) vessels, to submit a VMS pre-landing notification form prior to crossing the demarcation line on their

return to port for each trip that would provide scallop hail weight (an estimate of the weight of scallops), estimated time and port of landing. Data from the VMS pre-landing notification form submitted by IFQ vessels is used to enforce and oversee individual fishing quotas, alert enforcement personnel approximately when, where and how much a vessel should have onboard, and enforce the 600 lb IFQ possession limit. Data from the VMS pre-landing notification form submitted by NGOM vessels is used to monitor the Northern Gulf of Maine Management Area TAC quota and to enforce the 200 lb. Northern Gulf of Maine Management Area possession limit.

The FMP also requires limited access scallop vessels to submit the same VMS pre-landing notification forms as the IFQ and NGOM vessels and provide identical information. This form is required under two circumstances only for limited access vessels. First, all limited access vessels would need to submit this form at the end of a scallop access area trip. Data from this VMS pre-landing notification form submitted by limited access vessels on access area trips are used to enforce and oversee access area allocations, and alert enforcement personnel approximately when and where a vessel will land access area scallops, and how much a vessel should have onboard. Secondly, any limited access vessel intending to land scallops caught in open areas at ports south of Cape May, NJ and wanting to steam to those ports while not using a day-at-sea would need to submit the pre-landing notification form once it finished its open area trip. Data submitted from this VMS pre-landing notification form under this situation would be used to alert enforcement personnel approximately when and where a vessel will land open area scallops, and how much a vessel should have onboard.

VMS Polling Frequency

The VMS polling frequency for all vessels issued a scallop permit is 30 minutes (it is one hour for some other fisheries). The 30-min polling frequency enhances the monitoring capability to catch violators fishing in the closed areas. Since the average polling increased from 30 minutes from 1 hour, there is a 50 percent greater chance of detecting entries into the closed areas of more than 15 minutes. This requirement applies to the Occasional and LAGC scallop vessels only, as Full-time and Part-time vessels have been accounted for in OMB Control No. 0648-0202.

Access Area Trip Exchange Application

The one-for-one access area trip exchange program provides flexibility to scallop vessels about where they may fish. Participants need to send an access area trip exchange application to NMFS with the following information: Vessel name and permit number, owner name and signature, specification of the areas involved in the exchange. Both vessels involved in the exchange are required to submit forms for cross verification. This measure is expected to provide flexibility to vessels regarding which areas to fish, thereby reducing the possibility of revenue loss to those vessels that are unable to access some distant areas due to vessel capacity constraints. Although there will be some transaction costs associated with the exchange of access area trips, the net result will likely be a reduction in overall costs of fishing. Administrative and enforcement costs associated with the exchange of controlled access trip authorizations are modest when compared with the potential improvement in controlled access allocation programs and reduced economic cost to industry.

IFQ Transfers

IFQ permit holders can temporarily and/or permanently transfer individual fishing quota from one IFQ vessel to another. Quota transfers are requested through the submission of transfer applications. Required information includes vessel information, quota transfer information, and authorizing signatures from both parties. The IFQ transfer program is entirely optional, and provides greater flexibility for IFQ permit holders by enabling them to increase their vessel's IFQ or for individuals to lease or sell IFQ if they choose not to fish the allocation.

Cost Recovery

Section 304(d)(2) of the Magnuson-Stevens Act (MSA) requires an IFQ cost recovery plan to recover management and enforcement costs for IFQ fisheries. The FMP includes an IFQ cost recovery program, whereby NMFS will collect up to 3% of ex-vessel value of landed product to cover actual costs directly related to enforcement and management of the IFQ program. IFQ permit holders are required to submit a cost recovery payment annually via a pre-existing Federal payment system called www.pay.gov, which is also currently used by the Alaska Region and the Southeast Region. Information submitted via the internet would require the user to establish an online account, including personal and financial information. This requirement is necessary in order to comply with the provisions of the MSA and to collect payments from individuals that have been granted an allocation to a public resource.

IFQ Sector Program

The FMP contains provisions that authorize allocation of a portion of the overall IFQ fishery TAC to a self-selected group of IFQ permit holders (sector), provided the sector provides adequate information describing the formation of the sector and its intended plan of operations. Individuals or other entities (corporations, cooperatives, etc.) proposing a sector are required to submit documents as described below.

Sector Allocation Proposal

Any person may submit a Sector allocation proposal for a group of limited access general category scallop vessels to the Council, at least 1 year in advance of the start of a sector, and request that the Sector be implemented through a framework procedure specified at §648.55.

This document specifies the proposed maximum amount of TAC to be allocated to sector participants and the sector's proposed rules describing movement of vessels among sectors or to the common pool of vessels managed under the FMP. This document is required to include an appropriate analysis that assesses the impacts of the proposed sector, in compliance with the National Environmental Policy Act (NEPA).

Operations Plan

A group that wants to form a sector and receive an allocation is required to submit a legally binding operations plan to the Council and the Regional Administrator. The operations plan must be agreed upon and signed by all members of the sector and, if approved, would constitute a contract.

This document provides a list of all participants involved with the sector; a contract signed by all proposed participants; historic information on the catch history, TAC associated with the proposed sector; detailed information regarding potential redistribution of TAC within the sector, if applicable; a plan and analysis of specific management rules for sector participants, including plans for the enforcement of sector rules and the monitoring of landings and discards; and procedures for the removal of participants from the sector. This document is required to include a supplementary NEPA analysis that would include a revised assessment of the impacts of the proposed sector based upon changes that may have occurred since the submission of the sector allocation proposal mentioned above.

A sector is required to resubmit its operations plan to the Regional Director no later than December 1 of each year, whether or not the plan has changed. NMFS may consult with the Council and would solicit public comment on the operations plan for at least 15 days, through proposed rulemaking in the Federal Register. Upon review of the public comments, the Regional Administrator may approve or disapprove sector operations, through a final determination pursuant to the Administrative Procedure Act.

This information is necessary to describe the proposed sector and the proposed rules under which the sector would operate. This information is used to determine whether this sector would maintain consistency with the goals and objectives of the FMP.

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

Several offices of NMFS, the U.S. Coast Guard (USCG) and the Fishery Management Councils will utilize the information. The number of responses for each requirement is provided in Question 12 and Table 1 in this document. Data collected through these programs will be incorporated into the NMFS database and would be used to track and confirm vessel permit status and eligibility, and IFQ status. Vessel replacements, CPH applications, and IFQ transfer requests are expected to be submitted regularly throughout the year. VMS submissions are submitted daily throughout the year depending on vessel activity. Sector applications and operations plans are submitted once per year. Aggregated summaries of the collected information will be used to evaluate the management program and future management proposals.

NOAA Fisheries 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.

VMS Requirements

VMS reporting requirements are fulfilled through electronic transmissions of codes and information. VMS form items are collected and housed in databases automatically, minimizing data entry by the vessel operator. Vessel owners may also download access area trip exchange applications from the Regional Office website. Vessel owners may fax access area trip exchange applications. VMS position data is collected via automated polling. The VMS catch report and pre-landing notification forms are available electronically through the vessel's VMS unit. These VMS forms are submitted electronically from the vessel.

IFQ Transfers

IFQ transfer applications would be available via GARFO's website, www.greateratlantic.fisheries.noaa.gov. Applications may be emailed to GARFO's IFQ transfer email address.

Cost Recovery

Vessel owners would submit payment via the secure internet site: www.pay.gov.

NMFS collects all other information from vessel owners and/or operators through completed forms and/or instructions. Forms may be sent by mail, fax, or scanned and emailed.

4. Describe efforts to identify duplication.

The reporting requirements under 0648-0491 do not duplicate any other reporting requirements.

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

The proposed collection of information would not have a significant impact on small entities. Only the minimum data to meet the requirements of the above data needs are requested from all participants. Furthermore, detailed instructions are included with all required applications and forms to help facilitate proper completion. Since all of the respondents are small businesses, separate requirements based on the size of the business have not been developed.

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

VMS transmissions are required to monitor compliance with access area trip allocations for the limited access and LAGC IFQ fleets. These data are collected at a rate deemed necessary to ensure scallop fleet activities comply with FMP requirements. The increased polling frequency enhances monitoring capability to catch violators fishing in closed areas.

The LAGC permit provisions under 0648-0491 are necessary to ensure consistent permit application procedures and to promote effective management of the scallop fishery. VMS polling and reporting requirements are critical in the enforcement of scallop regulations

and the oversight of individual fishing quotas, the Northern Gulf of Maine Management Area TAC, and access area trip quotas. Without these requirements, it would be extremely difficult to enforce spatial and temporal restrictions in addition to other regulatory requirements, and impossible to effectively manage access area trip limits and the Northern Gulf of Maine Management Area TAC.

IFQ transfer applications are needed to implement a transfer program. Without these applications, industry would not be afforded the benefit of the transfer program.

The cost recovery requirements are critical to administer the cost recovery program and collect payment from IFQ permit holders. The minimum amount of information would be collected to effectively administer this program.

Without sector application, analysis, and reporting requirements, NMFS could not successfully implement a sector program.

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

Vessels would be required to submit a VMS trip declaration and pre-landing notification report each fishing trip. Consequently, individuals may be required to submit a trip identification code more often than quarterly. IFQ vessel owners may transfer quota, and limited access vessel owners may exchange access area trips more frequently than quarterly, but this collection is completely voluntary and to the benefit of the fishing industry. A vessel owner may submit more than one transfer application quarterly. Each time a vessel enrolls in the state waters exemption program, they would be required to submit the appropriate VMS code and enrollment form. They are allowed to enroll in this program more often than quarterly.

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 was published January 17, 2017, (82 FR 4859), soliciting public comment on this extension. No comments regarding the information collection were received.

NMFS announced at the January 24-26, 2017, and February 14-16, 2017, New England and Mid-Atlantic Fishery Management Council meetings, respectively, that this set of collection requirements was up for extension and solicited comments. This same information that was presented by the Greater Atlantic Regional Administrator was also available in physical form as a handout included with the meeting materials at both Council meetings. A wide range of stakeholders attend these meetings, including the general public, scallop fishermen and fishermen in other fisheries, members of environmental organizations, and academia. NMFS received no comments during either of the Fishery Management Council meeting. A copy of the reports provided to the FMCs is attached.

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

No payment or gift would be made to 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 would be kept confidential as required by Section 402(b) of the Magnuson-Stevens Act, would be maintained in accordance with [NOAA Administrative Order 216-100](#), Confidentiality of Fisheries Statistics, and would not be transferred for public use except in aggregate statistical form (and without identifying the source of data, i.e. vessel name, owner, etc.)

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.

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

A full summary of the cost to the public associated with this collection of information can be found in Table 1.

NMFS estimates that 347 limited access vessels, 200 LAGC IFQ, and 100 LAGC NGOM vessels will fish for scallops each fishing year, for an unduplicated respondent number of 647. LAGC incidental catch vessels will operate only under other fisheries that have reporting requirements under those other fishery FMPs. Table 1 summarizes the time burden of these reporting requirements. This analysis assumes a labor cost of \$15/hour.

Trip Declaration, Including Powerdown

Vessels must submit a trip declaration code each time they sail.

The 347 limited access vessels will take on average a total of 2,000 trips (estimated 20,000 days allocated per year/10 days per trip), for a total of 2,000 trip declarations. At 2 minutes per response, the total time burden for the limited access fleet is estimated to be 67 hr (4,000 min/60).

It will take 5,000 IFQ trips to harvest the total allowable catch (approximately 3 million lb annually (3 m lb/likely 600 lb per trip)) for the IFQ fleet and 475 NGOM trips to harvest the 95,000 lb annual NGOM TAC (95,000 lb/200 lb per trip), for a total of 5,475 LAGC trips per year. LAGC vessels may send a power down code at the conclusion of each trip, generating an additional 5,475 declarations, for a total of 10,950 declarations.

Therefore, the total trip declaration and power down time burden for the LAGC fleet is estimated

to be 523 hours (2 minutes x 5,475 declaration codes) + (2 minutes x 5,475 power down codes) = 21,900/ 60 = 365 hours).

The total time burden for 12,950 declarations is estimated to be **432 hr**. At an hourly rate of \$15, the annualized labor cost would be **\$6,480**.

VMS Purchase and Installation

Vessel owners with a limited access or LAGC permit on their vessel have already purchased and installed VMS systems in order to comply with the VMS requirement in the regulations implementing the FMP. Therefore, only those vessel owners that replace a limited access or LAGC permit that is in confirmation of permit history would need to purchase and install a VMS unit. An estimated 10 vessels per year would purchase and install VMS units. However, approved hours for additional VMS purchase and installation in OMB Control No. 0648-0202 more than adequately cover these estimated 10 VMS units.

VMS Daily Catch Reports

Annual transmission of data from all vessels fishing in access areas, based on 25,000 fishing days per season (20,000 for limit access and 5,000 for IFQ trips) and response time of 2 minutes per response, is estimated to be **833 hr** ((25,000 days x 2 min)/60). At an hourly rate of \$15, the annualized time burden would be **\$12,495**.

VMS Prelanding Reports

VMS pre-landing notification forms are currently required for each IFQ and NGOM trip. Therefore, there would be 5,475 IFQ and NGOM pre-landing notification forms submitted annually. It is estimated that it would take 5 minutes per each of the 5,475 reports, for an annual pre-landing notification time burden of 456 hr (5,475 x 5 minutes/60 minutes). At an hourly rate of \$15, this burden would be \$6,840.

VMS pre-landing notification forms are also required for certain limited access scallop trips. In a given fishing year, NMFS estimates that for access area reporting, each of the 313 full-time limited access vessels would submit a pre-landing report 5 times (1,565 responses) and each of the 34 part-time limited access vessel would submit a pre-landing report up to 3 times (102 responses), for a total of 1,667 responses annually. It is estimated that it would take 5 minutes per each of the 1,667 reports, for an annual pre-landing notification time burden of 139 hr (1,667 x 5 minutes/60 minutes). At an hourly rate of \$15, this burden would be \$2,085.

For the open area days-at-sea pre-landing requirements, NMFS estimates that this would likely impact 30 vessels and result in each of those vessels reporting one time a year, for a total of 30 responses annually. It is estimated that it would take 5 minutes per each of the 30 reports, for an annual pre-landing notification time burden of 3 hr (2.5 hr) (30 x 5 minutes/60 minutes). At an hourly rate of \$15, this burden would be \$45.

The total time burden for all 7,172 responses declarations (5,475 + 1,667 + 30) is estimated to be **598 hr**. At an hourly rate of \$15, the annualized time burden would be **\$8,970**.

VMS Polling Frequency

There are 347 limited access scallop vessels and 783 LAGC scallop vessels subject to the half-hour VMS polling frequency. However, only the polling frequency for LAGC vessels is covered under the 0648-0491 collection because the limited access vessels are covered under OMB Control No. 0648-0202. Since the transmission of position polling is automated through the vessel's VMS, there is no associated time burden with this reporting requirement.

Access Area Trip Exchange

The average number of trip exchanges is estimated to be 90 exchanges, based on prior years. Since each exchange involves two vessels, the number of entities affected is estimated to be 180. Average response time to complete the trip exchange application has been estimated to be 15 minutes, for a total burden of **45 hr** (15/60 x 180). At an hourly rate of \$15, the annualized time burden would be **\$675**.

IFQ Transfers

Quota temporary transfers and permanent transfers apply to IFQ vessels only. A total of 200 leases could be expected for the full year (the scallop fishing year runs from March 1 through February 28). Each application would include information from both parties involved in the temporary transfer; therefore there would be 2 responses per application. It is estimated that it would take 5 minutes per response, or 10 minutes per temporary quota transfer application. Therefore, the estimated temporary transfer burden would be **33 hr** (200 x 2 x 5 minutes/60). At an hourly rate of \$15 / hour, the total public cost burden for temporary quota transfer applications would be **\$495**.

There would be approximately 10 permanent quota transfers per year. Each application would include information from both parties involved in the transfer; therefore there would be 2 responses per application. It is estimated that it would take 5 minutes per response, or 10 minutes per permanent transfer application. Therefore, the estimated permanent quota transfer burden would be **2 hr** (10 x 2 x 5 minutes/60). At an hourly rate of \$15 / hour, the total public cost burden for permanent quota transfer applications would be **\$30**.

The total for temporary and permanent transfers is **35 hr** and **\$525**.

Cost Recovery

After taking IFQ transfers into account, 200 of the 349 IFQ vessels are expected to land scallops. Therefore, 200 payments, at 2 hours each, would take **400 hr**. At an hourly rate of \$15 / hour, the total public cost burden for cost recovery would be **\$6,000**.

IFQ Sector Program

One sector proposal was received in 2008 but was withdrawn. GARFO had estimated that there would be 2 sector proposals annually. There have been no sector proposals since the 2008. However, some permit holders may want to form a sector in the future. Any new sector proposal would be approved in 2018 at the earliest since applicants must submit proposals at least one year prior to when they want the sector to be approved and operational.

Any person may submit a Sector allocation proposal for a group of limited access general category scallop vessels to the Council at least 1 year in advance of the start of a sector, and request that the Sector be implemented through a framework procedure specified at §648.55. Based upon consultations with the Northeast multispecies sector program, it is estimated it would take 150 hours to prepare and submit a sector proposal. Therefore, the annualized time burden for sector proposals would be 300 hours per year (2 x 150). At an hourly rate of \$15/hour, the total public cost burden for sector proposals would be **\$4,500**.

A sector is required to resubmit its operations plan to the Regional Director no later than December 1 of each year, whether or not the plan has changed. Based upon consultations with the Northeast multispecies sector program, each operations plan takes approximately 100 hours. Therefore, it is estimated it would take 200 hours to submit 2 operation plans. At an hourly rate of \$15/hour, the annual time burden cost would be approximately **\$3,000**.

The total for submission of a Sector allocation proposal and operations plan (4 total submissions: 2 proposals and 2 operations plans) is **500 hr** and **\$7,500**.

Total annual responses, time burden and labor cost to respondents are 45,926, 2,843 hr and \$51,900, respectively (see Table 1).

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 cost to the public associated with this collection of information can be found in Table 1.

Trip Declaration, Including Powerdown

It is estimated that each trip declaration costs \$0.79 to transmit; therefore, total transmission costs for limited access scallop vessels will be \$1,580 (2,000 x \$0.79) and for LAGC vessels, will be \$4,325.25 (5,475 x \$0.79). In addition, each powerdown transmission will cost \$0.79, for a total of \$4,325.25 (5,475 x \$0.79). The total cost for transmitting trip declarations is **\$10,230.50** (\$4,325.25 + \$4,325.25 + \$1,580.00).

VMS Purchase and Installation

Costs are covered under OMB Control No. 0638-0202.

VMS Daily Catch Reports

Cost to respondents based on the number of messages (25,000) and \$0.79 fixed rate per VMS e-mail message, is **\$19,750** (25,000 x \$0.79).

VMS Prelanding Reports

VMS pre-landing notification forms are required for each IFQ and NGOM trip. Therefore, there would be 5,475 IFQ and NGOM pre-landing notification forms submitted annually. VMS pre-landing notification are also required for some limited access scallop trips, which would result in 1,697 limited access pre-landing notification forms submitted annually. Cost to respondents based on 7,172 messages and \$0.79 fixed rate per VMS e-mail message is **\$ 5,666** (7,172 x \$0.79).

VMS Polling Frequency

Annual dues paid by VMS users are determined by polling frequency. There are 783 LAGC vessels subject to this requirement. The annual average cost of operating a VMS at a polling rate of once every half hour is \$953.70. The total annual cost to scallop vessels is **\$746,747.10 (\$746,747)** (783 x \$953.70).

Access Area Trip Exchange

Additional costs to respondents resulting from the trip exchange program include application mailing costs, and printing and stationary costs. NMFS expects 180 applications to be submitted for trip exchanges. Each application costs \$0.49 to mail; therefore, total mailing costs are \$88.20 (180 x 0.49 = \$88.20). An additional \$10 has been included to cover printing and stationary costs. Therefore, total costs are **\$98.20 (\$98)**.

IFQ Transfers

It is estimated that IFQ transfer submission would cost \$0.49 postage and \$0.10 copy fees per transfer application (\$0.59 total). Electronic submissions have no associated cost since the cost of the transmission is included in overall internet service fees, but almost all transfers are submitted via mail. Since NMFS anticipates approximately 210 transfers per year with two applications per transfer (200 temporary transfers, 10 permanent transfers) the resultant annual cost burden would be **\$247.80 (\$248)** (210 x 2 x \$0.59).

Cost Recovery

PRA collection cost does not include the actual cost recovery funds submitted by industry; only the costs associated with the submission of these funds. Since cost recovery would be collected only via the internet, there is no cost burden associated with this cost recovery program.

IFQ Sector Program

The submission of sector allocation proposals and plans of operations would incur costs from copying and postage of these documents. Costs for one proposal and one operation plan: It would cost \$1.00 for one copy of each 10-page document (\$2.00 total), and two \$0.49 stamps for each document. The total cost burden for each sector proposal and operation plan is estimated to

be \$3.96 (\$2.00 + (2x \$0.98)). Therefore, the annual cost for 2 sector proposals and 2 operation plans would be **\$7.92 (\$8)** (2 x \$3.96).

Total annual cost excluding time burden to respondents is \$790,283.

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

The following summarizes the costs to the Federal government, based on an hourly wage rate of \$25. There are no other costs to the Federal government other than the time burden associated with processing and reviewing submitted information and approving and implementing resulting actions (see Table 1).

Trip Declaration, Including Powerdown

There is no cost to the Federal Government for processing trip declarations and powerdown codes.

VMS Purchase and Installation

There is no cost to the Federal Government for VMS Purchase and Installation.

VMS Daily Catch Reports

There is no cost to the Federal Government for processing VMS daily catch reports.

VMS Prelanding Reports

There is no cost to the Federal Government for processing VMS prelanding reports.

VMS Polling Frequency

There is no cost to the Federal Government for the VMS polling frequency.

Access Area Trip Exchange

The average number of trip exchanges is estimated to be 90 exchanges based on prior years. Average time for NMFS to review and process a trip exchange application has been estimated to be 15 minutes, for a total burden of 45 hours (15/60 x 90). Cost to the Federal Government would be **\$1,125** (45 x \$25).

IFQ Transfers

It is estimated that it would take 15 minutes for NMFS to process each transfer request and 210 requests (temporary and permanent) are expected annually for a total of 53 hr of government time (15/60 * 210). Therefore, the annual government cost would be **\$1,325** (53 * \$25).

Cost Recovery

Cost recovery payments would be collected through www.pay.gov, an established government payment collection program. Since the program has been established to accept payment from www.pay.gov, there would be no additional cost to the government since the scallop cost recovery program would be completely automated.

IFQ Sector Program

Based upon Northeast multispecies sector program estimates, sector proposals and operation plans require extensive review by the Council and NMFS staff to ensure that proposals and operation plans meet the objectives of the FMP. It is estimated that each proposal and operation plan requires approximately 150 hours to review, process and implement. The annual cost to the government would be of **\$7,500** (300 x \$25).

Total annual cost to the Federal government is \$12,550 (see Table 1).

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

This extension includes the following three adjustments: 1) The total estimated number of LAGC IFQ trips to harvest the total allowable catch (TAC) was decreased reflecting an increase of the daily possession limit from 400 lb to 600 lb. 2) The total estimated number of LAGC NGOM trips to harvest the TAC was increased, reflecting an increased in the management area yearly TAC. 3.) The ownership form and RUPH forms are now collected under OMB 0648-0202, and the reduction in responses, hours, and burdens are due to that change.

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

The results from this collection may be used in scientific, management, technical or general information publications such as the Fisheries of the United States, which follows prescribed statistical tabulations and summary table format, and the annual Stock Assessment and Fishery Evaluation Report prepared by the New England Fishery Management Council for the scallop fishery. Data obtained from this collection would be available to the public upon request in summary form only. Furthermore, 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.

Except for VMS forms, all forms would display the OMB control number and expiration date along with information relevant to the Paperwork Reduction Act of 1995. The VMS forms would not display this information because these forms are in electronic media format only. There is limited space in this format to provide the expiration date. One of the approved VMS vendors (Boatrac, Inc) has a limit of 50 lines of text per macro or VMS form, and is also limited to a total of 600 lines of text for all macros. As VMS requirements become more complex with changing Northeast regulations, the macros are approaching these limits. Including the PRA text would negatively impact NMFS's ability to expand the macros within the current limits to comply with regulatory changes. NMFS will continue to display the OMB control number for VMS reporting requirements on Small Entity Compliance Guides (i.e., permit holder letters and

fishery bulletins) that describe and explain the VMS reporting requirements.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are employed in the information collection procedures.

TABLE 1

Reporting Requirement	# Respondents per item	Responses per respondent	Total responses	Burden hours	Wages and salaries	Recordkeeping/reporting costs	Cost to Government
VMS Purchase and Installation	0	0	0	0	\$0	\$0	\$0
VMS polling	783	1	0	0	\$0	\$746,747	\$0
Trip Declaration and Power Down	12,950	1	12,950	432	\$6,480	\$10,230.50	\$0
VMS Catch Report	25,000	1	25,000	833	\$12,495	\$19,750	\$0
VMS Pre-Landing Notification Form	7,172	1	7,172	598	\$8,970	\$5,666	\$0
Trip Exchange Request	90	2	180	45	\$675	\$98	\$1,125
Quota Transfer Applications (temporary and permanent)	210	2	420	35	\$525	\$248	\$1,325
Cost Recovery	200	1	200	400	\$6,000	\$0	
Sector Proposals and Operation Plans	2	2	4	500	\$7,500	\$8	\$7,500
TOTAL	-*	-	45,926	2,843	\$42,645	\$782,747.50	\$9,950

*Unduplicated respondents: 647.