

SUPPORTING STATEMENT
ATLANTIC HIGHLY MIGRATORY SPECIES INDIVIDUAL BLUEFIN QUOTA (IBQ)
TRACKING
OMB CONTROL NO. 0648-0677

A. JUSTIFICATION

This request is for revision and extension of the individual bluefin quota (IBQ) tracking portion of information collection 0648-0677 and removes the appeals portion of the collection. The information associated with appeals under Final Rule 0648-BC09 was a one-time collection which is no longer in effect, and we are no longer requiring renewal of the account application.

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

The United States (U.S.) Secretary of Commerce is authorized to regulate fisheries for Atlantic highly migratory species (HMS) under the [Magnuson-Stevens Fishery Conservation and Management Act](#) (MSA; 16 U.S.C. 1801 *et. seq.*) and the [Atlantic Tunas Convention Act of 1975](#) (ATCA; 16 U.S.C. 971 *et. seq.*), as amended. ATCA authorizes the Secretary to promulgate regulations as may be necessary and appropriate to carry out the binding recommendations from the International Commission for the Conservation of Atlantic Tunas (ICCAT).

ICCAT internationally manages the highly valued, internationally pursued Atlantic bluefin tuna. ICCAT recommendations allocate a limited portion of the Western Atlantic bluefin tuna quota to the United States for distribution among domestic user groups. The National Marine Fisheries Service (NMFS) regulations at [50 CFR part 635](#) per the 2006 Consolidated HMS Fishery Management Plan (Consolidated HMS FMP) govern domestic allocation of the ICCAT recommended bluefin tuna quota.

Amendment 7 to the 2006 Consolidated HMS FMP implemented (IBQ shares and allocations to vessels fishing in the Atlantic Tunas Longline category. IBQs are intended to fairly and effectively allocate limited quota for incidental capture of bluefin tuna among vessels in the Longline category, while minimizing dead discards and discouraging interactions with bluefin tuna, and better utilizing the Purse seine category quota. An on-line system developed by NMFS tracks allocations and allocation leases, and reconciles leases with bluefin tuna catch for quota monitoring. This collection of information includes reporting of IBQ allocation leases among pelagic longline (PLL) vessels and between PLL and purse seine vessels.

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.

Eligible Atlantic Tunas Longline category permit holders must have an IBQ system account in order to be issued IBQ shares and resultant allocation, or lease IBQ. NMFS sets up the IBQ system account for eligible IBQ participants based on information provided in the application for

the Atlantic Tunas Longline permit or Atlantic Tunas Purse Seine permit (Collection 0648-0327). The information is updated as needed.

The lease monitoring information collected by the IBQ system will be used by eligible permit holders in the PLL fishery and Purse Seine fishery in accounting for their respective IBQ and Purse Seine allocations, and documenting allocation leases with other IBQ participants. Participants (lessors) will enter the amount of quota they wish to lease, the price per pound, and the account number receiving the lease. Lessees will then acknowledge receipt of the transfer. NMFS will use these data to ensure proper accounting of allocations among participants, and to track use of quota allocations and reconcile allocation usage with bluefin tuna catch and landings. Eligible IBQ participants will also use the system to monitor their IBQ allocations, Purse Seine allocations, and catch data.

Figure 1. Screen shot of allocation leasing webpage

Transfer Allocation (BFT)

Step 1: Select the type of allocation transfer...
 From my shareholder account to my vessel account

Step 2: Select a vessel account or shareholder account in the table below. When selected, the account will be highlighted in blue...
 In the Search box below, type the first few characters of the UserID or Shareholder Name to filter the list

Search

To My Vessel Account	Vessel	PLL ATL	PLL GOM	PSG ATL	Status
		400	0	0	ACTIVE

Step 3: Enter allocation transferred for each share category by clicking in the Transfer Pounds column, changing the value and clicking the Enter key...

From My Shareholder Account	Share Category	Current Allocation	Transfer Pounds (whole weight)
	ATL	0	0
	GOM	0	0
	PSG	0	0

Step 4: Select reason for allocation transfer
 Select reason for transfer

Step 5: Click the Submit button to complete the transfer or click the Reset button to clear all selections...
 Submit Reset

None of these data will be released for public review, except in aggregate form. NMFS 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.

NMFS developed, and now maintains, the online IBQ system to track IBQs. All data entry is via the internet-based webpage <https://portal.southeast.fisheries.noaa.gov>. Shareholders use the system to track their IBQ and lease allocations with other shareholders. Shareholders sign into the system to monitor their IBQ, indicate the amount of quota allocation they would like to lease, and identify the other shareholder to whom they will transfer the allocation (lessee). The system tracks the amount of allocation leased and the cost of allocations. Along with the bluefin tuna dealer reporting system, it is used to monitor the status of the Longline category quota.

4. Describe efforts to identify duplication.

The IBQ system covered under this collection of information is implemented by NMFS, which is the sole authority responsible for managing the domestic Atlantic bluefin tuna fishery, on behalf of the Secretary of Commerce. No other agency has authority to implement an IBQ system for bluefin tuna fisheries. The Atlantic HMS management program includes a high degree of internal coordination across NMFS regions, science centers, and headquarters offices. The distributed nature of the HMS staff throughout the agency helps the program avoid duplication and leverage other NMFS assets such as the Gulf of Mexico Red Snapper IFQ program (OMB Control No 0648-0551) that serves as the operational basis for the IBQ system.

During the development of Amendment 7, which established the regulations for the IBQ system, NMFS coordinated closely with the HMS Advisory Panel (AP). The HMS AP includes citizens from HMS commercial and recreational fishing interests, environmental interests, academia, state fishery agencies, and federal fishery management councils. These individuals provide significant input and direction to NMFS, including the status of other fishery management or research programs and any potential for duplication of or similar reporting requirements in other fisheries. NMFS also coordinates directly with the states of the Atlantic and Gulf of Mexico coasts, and the fishery management councils and interstate marine fisheries commissions operating in these geographic areas

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

This collection of information will affect Atlantic Tunas Longline and Purse seine category vessel owners/participants, all of whom are small businesses. Since the IBQ system will be an extension of the Southeast Gulf of Mexico red snapper IFQ system, permit holders who currently use the IFQ system to satisfy their Gulf fisheries reporting requirements would already be familiar with and have access to the new system.

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

If this IBQ information tracking was not conducted, NMFS would not be able to effectively implement the IBQ tracking and leasing required under HMS regulations at 50 CFR 635. Without the tracking component of the IBQ system, NMFS and IBQ shareholders would not be

able to effectively track the amount of IBQ allocation used by vessel owners/participants. Without the leasing component, the management program would be less effective, in part because of the small relative size of the IBQ shares and resulting allocations that will be available to each Longline category vessel. The catch of bluefin among Longline category vessels is not evenly distributed geographically or among the fleet. It would be very difficult to award IBQ shares and resultant allocation to permit holders in a way that would provide the IBQ allocation that they “need” to account for their bluefin landings and dead discards. Without transferability, a permit holder’s IBQ allocation could severely constrain their potential fishing effort. Further, the Purse seine category participants would not be able to participate in the IBQ leasing process.

Real-time data collection is required to provide leasing functionality for the limited IBQ allocations and Longline category quota. Without real-time tracking of IBQ, vessels might not be able to meet the minimum allocation requirement to be able to lawfully proceed on a fishing trip. Further, overages by the Longline category could impact other domestic user groups or result in an annual quota overage. ICCAT could assess a penalty if the United States overharvests its quota.

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

OMB guidelines state that respondents should not be required to report information more often than quarterly. However, the IBQ System requires information regarding IBQ tracking and leasing to be entered in real-time. Without real-time data entry, NMFS and vessel owners/fishery participants would not be able to monitor the status of IBQ allocations in real-time. Further, vessel owners/participants would not be able to conduct IBQ allocation leases in real-time and the IBQ system would not be useful to the respondents.

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 notice was published in the Federal Register on August 2, 2017 (82 FR 35933) requesting public comment on the information collection requirements. Although no comments were received as a result of the Federal Register notice, NMFS routinely communicates with the users of the IBQ System and other affected members of the public about its HMS management programs in general, and the IBQ System.

The on-line system to track IBQ allocation became effective on January 1, 2015, with effectiveness of most other Amendment 7 (79 FR 71510, December 2, 2014) regulations. NMFS gave a power-point presentation about the IBQ System to the HMS AP on March 10, 2015, during the first AP meeting after the regulations became effective.

During this meeting, AP members with experience using the IBQ system asked questions and provided feedback. Several pelagic longline industry members commented that they did not understand the way weight of landed fish was converted to IBQ. NMFS staff explained that IBQ was calculated in whole weight, and that if landings were entered into the system in dressed weight, the system used a 1.25 conversion factor to convert dressed weight to whole weight. Industry members asked about the conversion factor and were concerned that it was over-estimating whole weight. NMFS staff explained that the conversion factor was scientifically derived, and used in all bluefin tuna fishery management analyses. Several other AP members complimented the thoroughness and design of the IBQ system.

When the IBQ system became effective, NMFS staff implemented a “customer service” plan to assist users, including development and distribution of a “User Guide,” and maintenance of a phone line (301-427-8591) staffed by knowledgeable individuals during business hours. During the first year of implementation, customer service staff had routine conference calls to discuss implementation, and noted many calls from IBQ shareholders that needed assistance with navigating the system for trading catch allocation. NMFS staff addressed these concerns by working to balance the needs of the IBQ system, including system security, with simplifying the system where possible. For example, NMFS dropped the need for users to renew their access on a yearly basis. Based on the feedback derived from customer service calls, NMFS also increased the estimate of time (burden) for a trade transaction from 2 minutes to 15 minutes.

NMFS continued to dialogue with the HMS AP during subsequent biannual meetings, and did not receive any further specific comments on use of the system. NMFS has continued to balance the needs of security and utility with system simplification while further developing enhancements for the system.

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

There are no payments or other remunerations to respondents.

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

All data submitted under this collection will be handled as confidential in accordance with the MSA, Section 402b, and [NOAA Administrative Order 216-100](#), Protection of Confidential Fishery Statistics. Respondents are given this assurance as part of the initial information received upon enrollment to use the IBQ system. The initial information will either be mailed or emailed to the applicant, or available for download from the IFQ website.

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 of a sensitive nature are asked.

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

From 2015 through mid-2017, a total of 36 new vessel accounts were created, for an average of 14.4 per year, which NMFS is rounding up to 20 per year to account for potential future increases. NMFS estimates that it takes 10 minutes for each respondent to request and set up their account, for a total of (20 new accounts x 10 minutes per account = 200 minutes/60 minutes/hour = 3.3 hours) which NMFS is rounding up to 4 hours. Reporting burden for IBQ system request and set up is given in Table 1.

The annual amount of IBQ allocation leasing varies based on IBQ allocation size and the needs of permit holders or fishery participants. For 2015, 2016, and half of 2017, there were 49, 81, and 49 leases, respectively, for an average of 71.6 per year, which NMFS is rounding up to 100 per year to account for potential future increases. At 100 leases per year, the greatest possible number of respondents would be 200 (100 lessors and 100 lessees). NMFS estimates that each lease will take approximately 15 minutes per party (lessor/lessee) to complete. NMFS increased this estimate from 2 minutes in our last supporting statement based on feedback from constituents who used the system. At 100 leases per year and 15 minutes per lease for the lessor and 15 minutes per lease for the lessee, the total reporting burden would be 100 x 15 x 2 = 3000/60 minutes/hour = 50 hours (see Table 1).

Total annual respondents = 200 + 20 = 220.

Total annual responses = 200 + 20 = 220.

Total Annual Burden Hours = 4 + 50 = 54

Table 1. Annual reporting requirements.

Reporting Requirement	Time Per Response	Number of Responses per Respondent	No. of Annual Responses	Annualized Burden (Hours)
Initial Application for new IBQ Account	10 mins.	1	20	4
IBQ Lease of Allocation	15 mins.	Varies	200	50
TOTAL			220	54*

*Rounded down to 53 in ROCIS.

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).

Most applicants are likely to have a computer and access to the internet. If applicants prefer not to purchase a computer, they could use one at a local library. In the unlikely event that an applicant purchases a computer because of the IBQ leasing, they would have a one-time capital expense of approximately \$1,500 (\$500/year annualized over 3 years) plus \$50/month internet

access. NMFS estimates that 5% of new Longline category permit holders ($5\% \times 20 = 1$) may make this purchase which would result in annualized costs of $(\$500 + 600) \times 1 = \mathbf{\$1,100}$.

Total annual costs to the public from this collection: \$1,100.

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

The Federal government costs for this information collection would include building and maintaining the electronic IBQ system to account for trade, program administration, and processing any requested appeals.

In an effort to reduce costs, NMFS coordinated internally to build the IBQ system onto a similar system that is already in operation (Southeast Region Gulf of Mexico Red Snapper IFQ Program, OMB 0648-0551). NMFS expects annual maintenance costs of \$10,000 per year.

Total annualized government costs: \$10,000.

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

Program Change:

Application renewals were not implemented, as a means to reduce reporting burden, and are removed from this collection. Burden hours for account applications is reduced from 43 to 4 (difference = -39)

Appeals are removed from this collection because they were a one-time collection associated with implementation of Amendment 7. The reduction in burden hours for removal of appeals = -68.

Total for program change = $-68 + -39 = -107$.

Program Adjustment:

Based on information provided by the regulated community, the burden for allocation trades has been increased from 2 minutes per lease to 15 minutes per party. Based on information obtained during the first 2.5 years of program implementation, the annual number of leases has been decreased. The difference in burden hours for these adjustments is 31 (previous collection) -50 (current collection) = an increase of 19.

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

The results from the collection are not planned for statistical publication, although NMFS may distribute the results in reports or other publications. Prior to publication, data would be aggregated, as needed, to maintain confidentiality, and any report would comply with the Information Quality Act guidelines.

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.