

**SUPPORTING STATEMENT
PACIFIC ISLANDS REGION PERMIT FAMILY OF FORMS
OMB CONTROL NO.: 0648-0490**

INTRODUCTION

This request is for a revision and extension of this information collection. The major changes are adding the CNMI Bottomfish permit (OMB Control No. 0648-0584), Pacific Islands Crustaceans permit (OMB Control No. 0648-0586), and Pelagic Squid Jig permit (OMB Control No.0648-0589) into OMB Control No. 0648-0490.

A. JUSTIFICATION

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

The Magnuson-Stevens Fishery Conservation and Management Act established the Western Pacific Fishery Management Council (Council), to develop fishery ecosystem plans (FEP) for fisheries in the United States (U.S.) exclusive economic zone (EEZ) and high seas of the Pacific Islands region. These plans, if approved by the Secretary of Commerce, are implemented in Federal regulations by the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) and enforced by NOAA's Office of Law Enforcement (OLE) and the U.S. Coast Guard (USCG), in cooperation with state and territorial agencies. FEPs regulate fishing to prevent overfishing and to ensure the long-term productivity and social and economic benefit of the resources. Regulations implementing these plans are at 50 C.F.R. 665.

NMFS has jurisdiction over fisheries in Federal waters of the Pacific Ocean seaward of American Samoa, Guam, Hawaii, the Northern Mariana Islands (NMI), and the Pacific Remote Island Areas (PRIA)¹. The Council prepares, and the Secretary approves and implements through regulations, FEPs for American Samoa, Hawaii, and Northern Mariana Islands (Guam and NMI) archipelagos, PRIA, and pelagic fisheries in the Pacific Islands region. Each of these FEPs contains requirements that commercial fishery participants obtain Federal permits for federally managed fisheries in their area.

This collection of information is needed for permit issuance, to identify actual or potential participants in the fishery, determine qualifications for permits, and to help measure the impacts of management controls on the participants in the fishery. The permit program is also an effective tool in the enforcement of fishery regulations and facilitates communication between NMFS and fishermen.

¹Howland, Baker, Jarvis, Wake and Palmyra Islands, Johnston Atoll, Midway Atoll, and Kingman Reef.

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.

NMFS collects information via a permit application process. Permits are valid for one calendar year and fishermen may renew the permit annually, except for the American Samoa longline limited entry permit, which is effective for three years. 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, and managing ownership is 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, the USCG, and the Council.

This collection also includes information involving appeals of permit and permit transfer denials. The appellant must provide documentation to show why a permit should have been granted. The NMFS Pacific Islands Regional Administrator uses the information to make a final determination on permit issuance under the FEP. The frequency of appeals for permit denials is expected to be a maximum of four per year, if any. Appeal procedures are detailed in 50 CFR 665.13(m) and 50 CFR 665.801(o).

NMFS collects business information and disseminates it to the public. NMFS retains control over the information and safeguards 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. NMFS designed the information collection to yield data that meet all applicable information quality guidelines. Prior to dissemination, NMFS applies to the information 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.

None of the federal permit application forms for Pacific Islands fisheries, including this collection, are currently submitted in electronic form. However, applicants for Pacific Islands fishing permits will be able to download, complete and print an Adobe fillable application form via the Pacific Islands Region's website at <http://www.fpir.noaa.gov/>. NMFS has implemented online renewal for Hawaii longline limited access permits and will implement this for other permits in the future.

4. Describe efforts to identify duplication.

NMFS carefully considered whether there were collections by other Federal agencies or state or territorial agencies that might meet the information needs presented above. No other collections, besides the requested information, would meet the agency's reporting requirements.

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

All of the vessels in the Federally-managed fisheries in the Pacific Islands region are small business entities of similar size and are affected comparably. No special measures are needed to accommodate different sized businesses. NMFS seeks the minimum amount of data needed for permit issuance and consistent with this collection in the permit application process.

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 permit applications issued under the Pacific Islands FEPs. Also, it will be difficult to monitor the fisheries and their participants, determine entry and exit patterns, assess catch history to determine appropriate allocations for potential catch share programs, 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.

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

NA.

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 soliciting comments on October 6, 2017 (82 FR 46771). No comments were received.

NMFS solicited comments from 11 members of the public. PIRO received the following comment.

1. Comment from a Hawaii longline vessel owner:

I have no disagreements as it pertains to Hawaii Longline Permits. The online process is simple and straightforward for owners familiar with using a computer to fill out forms, and should be extended for the foreseeable future.

Response: PIRO thanked the respondent for their comment.

2. Comment from an American Samoa longline vessel owner:

As a participant in the American Samoa Longline Limited Entry Permit Program, we do not have any objections about the process that we follow to get permits. They are very simple instructions and it is not a burden to produce any backup paperwork that is needed to obtain or renew our permits. Our process is further simplified because of the assistance provided by PIRO staff to us.

Response: NMFS thanked the respondent for their comment.

3. Comment from a Hawaii longline vessel owner:

In response to the inquiry for comments see below:

- a) The information is necessary for the fishery service to to effectively carry out the responsibilities of permitting activities of fisheries
- b) The accuracy of time and the burden estimates to applicants are reasonable
- c) I have no comment to contribute to enhance quality, utility and clarity of the information
- d) Since I consider the burden to be reasonable I do not feel significant energy is necessary to minimize the burden.

Response: NMFS thanked the respondent for their comment.

4. Comment from an American Samoa longline vessel owner:

I have no comments on this revision.

Response: NMFS thanked the respondent for their comment.

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

No payments or gifts are involved in this collection.

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

As stated on all forms, the information collected is confidential under section 402(b) of the Magnuson-Stevens Act, as amended in 2006. It is also confidential under NOAA Administrative Order 216.100, which sets forth procedures to protect confidentiality of fishery statistics. NMFS published a Privacy Act System of Records Notice for all NMFS Sustainable Fisheries Permits on September 15, 2015 (80 FR 55327), and includes a Privacy Act Statement on all permit application forms.

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.

NMFS asked no questions of a sensitive nature.

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

PIRO estimated 354 responses to permit applications as shown in Table 1.

The increase in responses (from 243 to 354) and hours (from 137 to 169.25) are due to adjustments, including online versions of permit applications, and the merging of three other permit application collections into this collection. (Table 1).

Table 1. Permit Application-Related Burden

Pacific Islands Federal Fisheries Permit Applications	Number of Responses	Time per Response (hr)	Burden (hr)	Processing Fee	Total Fees
Hawaii Longline Limited Entry Permit Renewals (paper)	50	0.5	25	\$52.00	\$2,600.00
Hawaii Longline Limited Entry Permit Renewals (online)	100	0.25	25	\$31.00	\$3,100.00
Hawaii Longline Limited Entry Permit Transfers	30	1	30	\$52.00	\$1,560.00
Hawaii Longline Closed Area Exemption	0	2	0	\$0.00	\$0.00
WP General Longline Permit (paper)	2	0.5	1	\$0.00	\$0.00
WP General Longline Permit (online)*	5	0.25	1.25	\$0.00	\$0.00
WP Receiving Vessel Permit (paper)	10	0.5	5	\$0.00	\$0.00
WP Receiving Vessel Permit (online)*	20	0.25	5	\$0.00	\$0.00
PRIA Troll and Handline Permit (paper)	1	0.5	0.5	\$0.00	\$0.00
PRIA Troll and Handline Permit (online)*	2	0.25	0.5	\$0.00	\$0.00
WP Bottomfish (Guam and PRIA) Permit (paper)	5	0.5	2.5	\$0.00	\$0.00

WP Bottomfish (Guam and PRIA) Permit (online)*	5	0.25	1.25	\$0.00	\$0.00
WP Precious Coral (paper)	2	0.5	1	\$0.00	\$0.00
WP Precious Coral (online)*	1	0.25	0.25	\$0.00	\$0.00
American Samoa Longline Limited Entry Permit Renewals and Additional Permits	37	0.75	27.75	\$67.00	\$2,479.00
American Samoa Longline Limited Entry Permit Transfers	6	1.25	7.5	\$67.00	\$402.00
Permit Appeals	4	2	8	\$0.00	\$0.00
Pacific Islands Crustacean (Lobster) Permits (paper)	2	0.5	1	\$0.00	\$0.00
Pacific Islands Crustacean (Lobster) Permits (online)*	2	0.25	0.5	\$0.00	\$0.00
Pacific Islands Crustacean (Shrimp) Permits (paper)	5	0.5	2.5	\$48.00	\$240.00
Pacific Islands Crustacean (Shrimp) Permits (online)*	5	0.25	1.25	\$30.00	\$150.00
Pelagic Squid Jig Permit (paper)	5	0.5	2.5	\$48.00	\$240.00
Pelagic Squid Jig Permit (online)*	5	0.25	1.25	\$30.00	\$150.00
CNMI Bottomfish Permit (paper)	25	0.5	12.5	\$48.00	\$1,200.00
CNMI Bottomfish Permit (online)*	25	0.25	6.25	\$31.00	\$775.00
TOTAL	354		169.25**		\$12,896.00

*not yet implemented

**rounded down to 168 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).

There are no start-up costs associated with the permits. No special equipment or materials are required to apply for permits. Non-refundable application processing fees are charged for renewals and transfers of Hawaii longline limited entry permits and additional permits, renewals, and transfers of American Samoa longline limited entry permits.

Costs due to application processing fees for each permit are detailed in Table 1.
Total application processing fees = \$12,896.

The estimated cost to respondents for postage, faxes, copies, etc., related to this collection is

estimated at \$1,100 per year.

The total cost burden is estimated at \$13,996.

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

The estimated cost to the Federal government to administer this collection, which includes database management, is: \$6,366 = \$3,375 (180 x 45 min/paper application x \$25/hr) + \$1,791 (172 x 25 min/online application x \$25/hr) + \$800 (4 appeals x 8 hr x \$25/hr) + \$400 (postage and supplies).

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

Changes in burden estimates are based on updated estimates for numbers of applications and estimates of time spent on applications (adjustments: 3 hours, \$3,620 in recordkeeping/reporting costs), as well as the additions of permits from three other data collections (program changes: 28 hours, \$2,987 in recordkeeping/reporting costs).

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

NMFS does not plan a publication based solely on this collection of information at this time. However, NMFS will analyze the information in permit applications to determine eligibility for permit issuance and the need for management changes to conserve fish stocks and protect endangered or threatened marine animals and their habitats. These analyses will be included in annual stock assessment and fishery evaluation reports as required under these FEP. The information from this collection may ultimately be published in scientific journals.

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.

The expiration date will be displayed.

18. Explain each exception to the certification statement.

No exceptions are proposed.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.