

**SUPPORTING STATEMENT
PACIFIC ISLANDS REGION VESSEL AND
GEAR IDENTIFICATION REQUIREMENTS
OMB CONTROL NO. 0648-0360**

A. JUSTIFICATION

This request is for extension of a current information collection.

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

The success of fisheries management programs depends significantly on regulatory compliance. The vessel identification requirement is essential to facilitate enforcement for Pacific Islands region fisheries. The ability to link fishing or other activity to the vessel owner or operator is crucial to enforcement of the regulations issued under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#) (Magnuson-Stevens Act) to govern domestic and foreign fishing in the Pacific Islands region and under authority of laws implementing international treaties. Similarly, the regulations require that certain fishing gear in federally regulated Pacific Islands pelagic longline fisheries and Pacific Islands coral reef ecosystem fisheries be marked with the vessel's official number. The marking of gear is crucial to enforcement and valuable in actions concerning damage, loss, and civil proceedings.

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.

Vessel Identification

In the domestic Pacific Islands Region fisheries, regulated under 50 CFR Part 665, the vessel's official number or international radio call sign (IRCS) is required to be displayed on the port and starboard sides of the deckhouse or hull, and on an appropriate weather deck. The number identifies each vessel and should be visible at distances at sea and in the air. The requirements affect Pacific Islands pelagic longline vessels, pelagic troll and handline vessels, pelagic squid jig vessels, crustacean (lobster and deepwater shrimp) fishing vessels, bottomfish fishing vessels, precious coral fishing vessels, coral reef ecosystem fishing vessels, and non-commercial fishing vessels fishing in the Rose Atoll, Marianas Trench, and Pacific Remote Islands Marine National Monuments. Hawaii and Northern Mariana Islands bottomfish vessels in compliance with state/territory registration and marking requirements are exempt. Regulations in [50 CFR 665.16](#) specify the requirements for the vessel identification.

Domestic fishing vessels used to fish for highly migratory species on the high seas in the Western and Central Pacific Convention (WCPFC) Area with a WCPFC Area

Endorsement, or required to have an Area Endorsement, must be marked with their IRCS number on both sides of the hull or superstructure and on a weather deck. Most of the Pacific Islands pelagic longline and south Pacific tuna purse seine vessels would be subject to this requirement as well as other domestic vessels fishing on the high seas, per 50 CFR Part 300, Subpart O. The identification numbers must meet size and color requirements specified in regulations in 50 CFR Part 300.

In the South Pacific tuna purse seine fishery regulated under [50 CFR Part 300 Subpart D](#), the IRCS number must be painted on both sides of the hull or superstructure and on the deck as specified in 50 CFR Part 300. The IRCS number also must be painted on the side of any auxiliary equipment such as skiffs and helicopters.

The identification number provides law enforcement personnel with a means to monitor fishing, at-sea processing, and other related activities, to ascertain whether the vessel's observed activities are in accordance with those authorized for that vessel. The identifying number is used by the National Marine Fisheries Service (NMFS), the U.S. Coast Guard (USCG), and other marine agencies in issuing citations, prosecutions, and other enforcement actions. Vessels that qualify for particular fisheries are readily identified, and this allows for more cost-effective enforcement. Cooperating fishermen also use the number to report suspicious activities that they observe. Regulation-compliant fishermen ultimately benefit as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

Gear Identification

Under [50 CFR 665.804](#), the operator of each federally permitted pelagic longline vessel must ensure that the official number of the vessel is affixed to every longline buoy and float, including each buoy and float that is attached to a radar reflector, radio antenna, or flag marker, whether attached to a deployed buoy or possessed on board the vessel. Vessels fishing in coral reef ecosystem fisheries under 50 CFR 665.128, 665.228, 665.246, 665.428, and 665.628, must mark traps and floats on board the vessel or deployed with the vessel's official number.

The regulations further specify how the gear is to be marked, e.g., the location and legibility of the marking. NMFS considers gear that is not properly marked as unclaimed or abandoned property that may be confiscated. NMFS, the USCG and other enforcement agencies use the identifying number on fishing gear in issuing gear violations, prosecutions, and determining that longlines/traps are not illegally placed. Marked gear allows NMFS and the USCG to more readily enforce gear violations, thus allowing for more cost-effective enforcement. Cooperating fishermen also use the marking to report the occurrence of gear in unauthorized areas. Regulation-compliant fishermen ultimately benefit as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

Although the information collected (vessel and gear identification numbers) is not confidential, NMFS will not disseminate it to the public, as there is no reason for doing so. The information is strictly for enforcement purpose or NMFS internal use in situations involving damage, loss, and civil proceedings.

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.

The requirement that each vessel display an identification number on its deckhouse or hull, and its weather deck, does not lend itself to collection of information technology. Transponders and vessel monitoring system units are comparatively expensive and USCG cannot directly access their signals in the air or by USCG vessels at this time. Similarly, gear identification does not lend itself to collection of information technology. No other technology appears to be less costly and still capable of providing the necessary information to support enforcement.

4. Describe efforts to identify duplication.

There is no duplication with other collections.

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

Most of the vessels are categorized as small businesses. The collection of information will not have a significant impact on these small businesses, and no special modifications of the requirements were considered necessary to accommodate the needs of these small businesses.

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

The NMFS and USCG could not enforce the fisheries management measures if the collection is not conducted or is conducted less frequently.

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

No special circumstances require the collection to be conducted in a manner inconsistent with the OMB guidelines.

8. Provide a copy of 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 notice soliciting comments in the Federal Register on October 3, 2017 (82 FR 46041). We received no comments.

In addition, NMFS solicited comments from members of the public, including affected fishermen. We received seven comments.

A Hawaii Division of Aquatic Resources employee commented:

He had no comment on the burden estimate or rationale for the collection. He suggested requiring the federal fishing permit ID to be marked at each work station on a Main Hawaiian Islands non-commercial bottomfishing vessel.

Response: We thanked the person for his comments and suggestion. Adding the new marking would require a change in the vessel ID regulations.

Two American Samoa longline vessel owners commented:

Concerning the inconsistency of vessel marking, there was misunderstanding about the change of using the vessel official number to using the radio call sign to mark the vessel. But, as long as the marking requirement is clearly explained, they are OK with it.

Response: The requirement to mark the vessel with the radio call sign is from a Western and Central Pacific Fisheries Commission marking requirement which supersedes the Magnuson-Stevens Act marking requirement.

A Hawaii longline fishing vessel owner and a American Samoa longline vessel owner commented:

Requiring a radio call sign to ID the vessel and marking the gear with the vessel official number is inconsistent and confusing to the vessel owner. They would prefer that we require the same for both vessel and gear.

Response: The requirement to mark the vessel with the radio call sign is from a Western and Central Pacific Fisheries Commission marking requirement which supersedes the Magnuson-Stevens Act marking requirement. The WCPFC did not require gear marking and therefore the Magnuson-Stevens Act requirement to mark the gear with the official number applies. Making these requirements consistent would require changes to one or the other regulation, which is not within the scope of this information collection. In addition, some small vessels do not have radio call signs and NMFS needs to provide consistent marking method for all vessels and gear.

An SPTT purse seine vessel representative commented:

They appreciated the opportunity to comment, but had no comment on 0648-0360.

Response: We thanked the respondent for their comment.

A Hawaii longline vessel owner commented:

He had no comment on the proposed data collection.

Response: We thanked the respondent for his response.

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

No payments or gifts are provided.

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

There is no assurance of confidentiality provided. This is public information.

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 sensitive questions.

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

The estimated total number of vessels requiring marking is 339 (228 western Pacific pelagic longline vessels, 10 Pacific Remote Island Areas (PRIA) pelagic troll & handline vessels, 2 Pacific Islands pelagic squid jig vessels, 15 western Pacific bottomfishing vessels, 5 western Pacific lobster vessels, 5 western Pacific deepwater shrimp vessel, 2 western Pacific precious coral fishing vessels, 2 western Pacific coral reef ecosystem fishing vessels, 40 South Pacific tuna purse seine fishing vessels, and 30 Marine National Monument non-commercial fishing vessels). For all but the purse seine vessels, the burden is estimated at 45 minutes each (15 minutes for each of three locations on the vessel). For the purse seine vessels, the burden is estimated at 1 hour and 15 minutes (15 minutes for each of three locations on the vessel plus 15 minutes each for one skiff and one helicopter). **299 vessels x 45 minutes/60 minutes + 40 vessels x 75 minutes/60 minutes = 228 + 50 hours = 274 hours.**

Also, longline and western Pacific coral reef fishing gear are required to be marked: Hawaii longline vessels have 120 gear markings on average, American Samoa vessels

have 80 on average, Western Pacific general longline have 100, and western Pacific coral reef vessels have 5. Each gear marking is estimated to take 5 minutes.

The total estimated burden per the table below is: **339 respondents**, 339 vessels plus 24,890 pieces of gear = **25,229 responses**; **total hours: 274 plus 2,074 = 2,348**.

The WCPFC Area Endorsement vessel identification requirement complies with Western and Central Pacific Fisheries Commission identification requirements.

Permit	Vessel ID			Gear ID				TOTALS
	Vessels	Unit Time (min)	Total ID Hours	Avg Gear	Total Gear	Unit time (min)	Gear Hours	
Hawaii Longline	164	45	123	120	19680	5	1640.00	
Am. Samoa Longline	60	45	45	80	4800	5	400.00	
WP General Longline	4	45	3	100	400	5	33.33	
PRIA Troll & Handline	10	45	7.5	NA				
PI Pelagic Squid Jig	2	45	1.5	NA				
WP Lobster	5	45	3.75	NA				
WP Deepwater Shrimp	5	45	3.75	NA				
WP Bottomfish	15	45	11.25	NA				
WP Precious Coral	2	45	1.5	NA				
WP Coral Reef Ecosystem	2	45	1.5	5	10	5	0.83	
SPTT Purse Seiners	40	75	50	NA				
Rose Atoll MNM Non-comm	10	45	7.5	NA				
Marianas Trench MNM Non-comm	10	45	7.5	NA				
PRIA MNM Non-comm	10	45	7.5	NA				
RESPONSES	339				24890			25229
HOURS			274				2074	2348

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.

The only cost to respondents is the cost of the paint to apply the vessel's official number or call sign and gear markings. It is assumed the vessel has paint brushes. The estimated cost per vessel for both vessel and gear marking would be \$175. The estimated cost for vessel marking only would be \$100.

Vessel and gear marking:	230 vessels x \$175 = \$40,250
Vessel marking only:	109 vessels x \$100 = \$10,900
	Total = \$51,150

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

There is no cost to the Federal government.

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

Adjustments: Minor adjustments were made to number of vessels and burden hours in previously established fisheries, resulting in 5 fewer vessels, 4 fewer burden hours and \$500 less in paint costs.

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

No results are published.

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.

N/A.

18. Explain each exception to the certification statement.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection of information does not employ statistical methods.