

**SUPPORTING STATEMENT
SOUTHEAST REGION VESSEL AND GEAR IDENTIFICATION REQUIREMENTS
OMB CONTROL NO. 0648-0358**

A. JUSTIFICATION

This is a revision and extension request for an existing information collection.

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

The success of fisheries management programs depends on regulatory compliance. The vessel and fishing gear identification requirements enable law enforcement personnel to link fishing or other activity, and fishing gear to a vessel owner or operator. This is crucial to facilitate the enforcement of regulations issued under the authority of the [Magnuson-Stevens Fisheries Conservation and Management Act](#) at [50 CFR part 622](#).

In addition to an extension of this currently approved information collection, NMFS requests to revise the cost for tags required for use on golden crab traps and black sea bass pots. The tag manufacturer, Floy Tag & Mfg., Inc., has increased the tag cost, which includes the cost for shipping to respondents. NMFS also revises the estimated number of burden hours and responses to correct inadvertent calculation errors made in a previous revision of OMB Control No. 0648-0358.

2. 1Explain how, by whom, how frequently, and for what purpose the information will be used. 1If 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

Regulations at [50 CFR 622.6](#) require a vessel's official number to be displayed on the port and starboard sides of the deckhouse or hull, and weather deck. The official number and color code, if applicable, identify each vessel and should be visible from enforcement vessels or aircraft. These markings provide 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 United States Coast Guard (USCG), and other agencies and partners in vessel tracking, issuing violations, prosecutions, and other enforcement actions. Vessels that qualify for particular fisheries are readily identified, gear violations are more readily prosecuted, and this allows for more cost-effective enforcement.

Gear Identification

Multiple regulations in 50 CFR part 622 require that each fish, crab, or spiny lobster trap or pot be marked with a tag stating the vessel permit number or marked directly with the vessel permit number, depending on the fishery, and have a buoy attached that meets specified identification requirements. For example, gillnets for Spanish mackerel on the east coast of Florida must be marked with floats displaying the vessel's official number. The marking of gear aids law

enforcement, helps to ensure that vessels only harvest fish from their own gear, and makes it easier for fishermen to report the use of gear in unauthorized locations.

Regulations at 50 CFR [622.70](#) also require that aquaculture site materials (cultured live rock) be distinguishable from the natural occurring substrate, depending on the area through either marking or another method. The marking of aquacultured site materials aids determination of the origin of those materials and thereby helps ensure compliance with the regulations.

Law enforcement personnel rely on this information to assist with the compliance of fisheries management regulations. Fishing gear that is not properly identified is confiscated. NMFS and USCG use the identifying number on fishing gear to ensure compliance with applicable regulations. Gear marking helps ensure that a vessel harvests fish only from its own fishing gear and that fishing gear are not used illegally, and violations are more readily prosecuted, and this allows for more cost-effective enforcement. Cooperating fishermen also use the numbers to report placement or occurrence of gear in unauthorized areas.

Fishermen compliant with regulations ultimately benefit as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

There would be no information directly collected by the vessel and gear marking requirements for purposes of disseminating to the public. However, information collected by enforcement agencies over time could potentially be used to track compliance.

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 and the fishing gear display an identification number does not lend itself to technology. Vessel monitoring system units and transponders are comparatively very expensive. 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 for vessel or fishing gear identification and display. The USCG assigns documentation numbers to applicable vessels under OMB Control No. 1625-0027. NMFS requires a vessel to display its official number, that is, the USCG documentation number, at certain sizes depending on the vessel's length.

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

NMFS categorizes all or nearly all vessels covered under this information collection as small businesses. The collection will not have a significant impact on small businesses, and no special modifications of the requirements were considered necessary to accommodate the needs of small businesses.

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

If fishing vessels or gear were not identified or if marking requirements were reduced, NMFS, the USCG, and other law enforcement partners could not enforce the fisheries management measures or the effectiveness of enforcement could be significantly reduced.

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

This 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.

On October 18, 2017, NMFS published a notice in the Federal Register seeking public comment on the renewal of the vessel and gear identification requirements under OMB Control No. 0648-0358 (82 FR 48487, October 18, 2017). NMFS did not receive any public comments.

In early 2018, NMFS asked for, and obtained, feedback from one fisherman in the Gulf of Mexico commercial reef fish sector and two fishermen in the South Atlantic commercial snapper-grouper sector. Their feedback was consistent with the estimated burden hours and costs for marking vessels and fishing gear. Therefore, NMFS made no changes to the information collection as a result of public input.

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.

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 sensitive questions are asked.

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

The estimated total annual burden in hours to the public currently approved under this collection of information is 50,687 hours; the number of annual responses total 439,888, and the number of annual respondents total 7,825. NMFS estimates the total number of respondents would not change if OMB approves this renewal and revision request; NMFS revises the estimated number of burden hours and responses to correct inadvertent calculation errors made in a previous revision of OMB Control No. 0648-0358.

Each of 7,825 federally permitted vessels is required to be marked with the vessel's official number. Each vessel must be marked in three places, requiring 25 minutes each for a total of 75 minutes per vessel annually (average of initial marking, and subsequent annual touch-ups) for a total of 7,825 responses * 75/60 = 9,781.25, rounded down to 9,781 hours.

The official vessel number is required for marking each applicable piece of fishing gear. The estimated time burden to mark:

- 115,000 cultured live rocks at 10 seconds each = 320 (319.5) hours
- 10,000 golden crab traps at 2 minutes each = 333 (333.33) hours
- 15,903 Spanish mackerel gillnet buoys at 20 minutes each = 5,301 hours
- 270,000 spiny lobster traps and buoys at 7 minutes each = 31,500 hours
- 15,840 buoy gear at 10 minutes each = 2,640 hours
- 4,480 black sea bass pots, buoys, and buoy lines at approximately 16 minutes each = 1,195 (1,194.67) hours

Total for gear marking only = 431,223 responses and 41,234 hours.

If approved by OMB, the total for both vessel and gear marking would be 7,825 respondents, 439,048 responses, and 51,015 hours.

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).

Currently, the approved estimated total annual cost to the public for OMB Control No. 0648-0358 is \$670,901 (\$670,900.50).

For vessel marking, materials such as paint and paintbrushes are estimated to cost \$34.00 per vessel annually: 7,825 vessels * \$34.00 = \$266,050.

For marking fishing gear, estimated materials costs include:

- \$500 fixed cost for 115,000 coral live rocks
- \$20,000 for 10,000 golden crab traps at \$2 each
- \$23,854.50 for 15,903 Spanish mackerel gillnet buoys at \$1.50 each
- \$351,000 for 270,000 spiny lobster traps and buoys at \$1.30 each

- \$6,336 for 15,840 buoy gear pieces at \$0.40 each
- \$5,536 for 4,480 black sea bass pot tags and buoy components averaged to approximately \$1.24 each (\$1.2357)

Total for marking fishing gear: \$407,227 (\$407,226.50). – increased from 404,851

If approved by OMB, the revised total annual cost to the public would be \$673,277.

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: NMFS increased the annual cost estimate for gear marking requirements due to a cost increase by a tag manufacturer, Floy Tag & Mfg., Inc. The cost of identification tags for golden crab traps increased from \$1.80 to \$2 per tag (a \$2,000 increase, \$2,000 of the \$2,376 net increase).

There was an increase in 2016 from 30 to 32 black sea bass fishermen. Annual cost per each of these respondents (for all gear components) was \$76, so change accounted for an additional \$152. Since then, tag costs increased from \$1.80 to \$2 per tag; \$0.20 increase per tag. Each fisherman is limited to not more than 35 pots, which equates to a maximum of 35 tags. The addition of \$0.20 per 35 tags = a \$7 increase per fisherman or a total increase of \$224. Added to the initial increase of \$152, this equates to the additional total gear cost increase of \$376 in addition to the lobster pot tags increase of \$2,000.

NMFS also adjusted the burden estimates to correct inadvertent calculation errors on pot gear marking, made in a previous revision of OMB Control No. 0648-0358. The number of pots should be 4,480 rather than 5,320. This difference accounts for the 840 response decrease. The correction reduced the burden hours by 224 hours (840 * 10 minutes apiece (previous black sea bass gear response time was estimated at 10 minutes each). Decrease of 840 markings time 10 minutes each, decreased hours by 140. An increase of 6 minutes per remaining the remaining 4,480 markings added 468 hours. The net hourly increase is 328.

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

The results are not 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.

Not applicable.

18. Explain each exception to the certification statement.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.