

**SUPPORTING STATEMENT  
WEST COAST REGION GEAR IDENTIFICATION REQUIREMENTS  
OMB CONTROL NO: 0648-0352**

**A. JUSTIFICATION**

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

This request is for extension of the current collection for the West Coast Gear Identification Requirements.

Gear identification requirements are necessary to help ensure the success of fisheries management programs by facilitating fisheries law enforcement efforts. Gear marking is also valuable in actions concerning gear damage, loss, and civil proceedings. The ability to link fishing gear to the vessel owner or operator is crucial to enforcement of regulations issued under the authority of the [Magnuson Fishery Conservation and Management Act](#). Fixed-gear marking requirements are set forth in the regulations implementing the Pacific Coast Groundfish Fisheries Management Plan at 50 CFR [660.219](#) and [660.319](#). Gear-marking requirements specify that each type of fixed-gear must be marked with the owner's identifying number.

**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.**

The regulations specify that fishing gear must be marked with the vessel's official number, federal permit or tag number, or some other specified form of identification. Law enforcement personnel rely on this information to assure compliance with fisheries management regulations. Gear that is not properly identified is considered a violation of Federal regulations and is confiscated. The identifying marks on fishing gear is used by the National Marine Fisheries Service (NMFS), United States Coast Guard (USCG), and other marine agencies in issuing violations, prosecutions, and other enforcement actions. Gear marking also helps ensure that a vessel harvests fish only from its own traps/pots/other gear and that traps/pots/other gears are not illegally placed. Properly marked fishing gear facilitates prosecution of gear violations, and enhances cost-effective enforcement. Cooperating fishers also use the gear markings to report placement or occurrence of gear in unauthorized areas. Regulation-compliant fishermen ultimately benefit, as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

The information collected will not be disseminated to the public; as it consists solely of identification on gear, it is not submitted to NMFS.

**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 fixed gear be marked with an identifying number does not lend itself to technology.

**4. Describe efforts to identify duplication.**

Existing Federal and State requirements have been reviewed to ensure that there is no duplication of requirements.

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

Although nearly all vessels in the respective fisheries are categorized as small businesses, the collection of information will not have a significant economic impact or burden on small businesses in terms of time and resources. Therefore, no special modifications of the requirements were considered necessary.

**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 would not be able to enforce the fishery management measures if the collection is not conducted or is conducted less frequently. The numbers must periodically be maintained to remain legible.

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

This collection is consistent 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.**

A **Federal Register** Notice published on December 4, 2017 (82 FR 57223) solicited public comment. No comments were received.

Comments were also sought from respondents. A comment was received from a fisherman regarding the marking of vessels, longline and longline pot fishing gear. The commenter was in favor of using Automatic Identification System (AIS) transmitters to mark gear and vessels, instead of radar reflectors on each end of longline hook and pot gear, and a physical day shape in the rigging identifying the fact that a vessel is engaged in fishing. The commenter felt these requirements are antiquated and obsolete and should be removed from the regulations. The commenter stated that at present time, AIS is not officially recognized for the purpose of marking gear, although vessels are using it anyway because it is effective in identifying and

locating gear. AIS saves thousands of dollars by lowering the chance of losing gear, which is why vessels are willing to work in a grey area by adopting it. With the change to AIS technology the fishery would be able to unify the regulations concerning pots and hook gear, which at present time is different for each gear type and confusing.

NMFS response:

The Pacific Fishery Management Council (PFMC) develops proposed regulations for the Pacific Coast Groundfish fishery, including the marking of vessels and gear, for consideration by the Secretary of Commerce. Over the past several years, the PFMC has been considering and evaluating various electronic monitoring systems and their potential uses, including Automatic Identification System (AIS). NMFS will forward the comment to the PFMC for consideration in their evaluations of vessel and gear identification.

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

No payments or gifts are provided to respondents.

**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, as 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 is no information of a sensitive nature in this collection.

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

The estimated potential total number of vessels which require active gear markings and that have a reported landing utilizing a PacFin data source is 811 vessels (Table 1). There are three types of groundfish vessels which use the types of gear (longline, trap or pot, set net and stationary hook-and-line gear, including commercial vertical hook-and-line gear) that must be marked. Each vessel had a unique number of markings required because of variation in the gear, while some vessels participating in other gear types may not require active gear markings. Estimating the total number of marks in the fleet as 12,940 and 15 minutes per marking, the burden is estimated to be 3,235 hours (Table 1). NMFS Sustainable Fisheries Division (SFD) staff previously consulted with various groundfish vessel captains participating in various groundfish pot, longline, midwater trawl, bottom trawl fisheries, and determined that gear markings have a five-year life span. Therefore, the number of marks is annualized to 2,588, and hours, to 647.

Labor costs in the fishing industry are estimated at \$21.00 per hour utilizing labor estimates provided via Washington State Employment Security Department reports (<https://www.esd.wa.gov/labormarketinfo/occupations>) for the occupation title “painters, construction, and maintenance.” Twenty one dollars per hour multiplied by 3,236 burden hours

equals approximately \$67,956 total fleet labor costs. Estimated annualized labor cost is estimated at \$13,592.

**13. Provide an estimate of the total annual cost burden to the respondents or recordkeepers resulting from the collection (excluding the value of the burden hours in Question 12 above).**

The materials needed are paint and a paintbrush, or permanent ink applicator, and possibly a stencil. With most traps or pots, marking is done by means of a commercially available plastic tag that is fastened to the trap/pot by thin strands of wire and this tag number identifies the owner of the trap/pot. The total number of marks in the fleet is estimated at 12,940 (please refer to Table 1 for details), and the average cost per marking is approximately \$0.25. Therefore, the total cost burden is \$3,236. Since the markings have a five-year life span, the annualized cost is \$647.

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

There would be no Federal cost associated with this collection because marking verification would be included as part of other enforcement actions and no information is received to process.

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

**Adjustments:**

The estimated potential total number of vessels was updated to reflect most recent participation levels. The average wage for “painters, construction and maintenance” in the state of Washington was updated. Both of these numbers were revised up slightly from previous estimates.

**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.**

Not applicable.

**18. Explain each exception to the certification statement.**

There are no exceptions to the certification statement.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.

**Table 1. Estimates for Fixed-Gear Marking Burden in the Pacific Coast Groundfish Fishery**

2016 Gear marking burden estimates	OPEN ACCESS				LIMITED ENTRY			
	Longline	Vertical Hook and Line	Pot	Set net	Longline	Pot	IFQ gear switching	Total fleet
Number of vessels	300	50	200	15	201	32	13	811
Number of strings	10	5	5	3	10	5	10	
Number of buoys per strin	2	1	2	2	2	2	2	
Number of markings per vessel	20	5	10	6	20	10	20	
Total number of markings	6,000	250	2000	90	4,020	320	260	12,940 (annualized to 2,588)
Total burden hours at 0.25 hours per marking	1,500	63	500	23	1005	80	65	3,236 (annualized to 647)
Material costs at \$0.25 per marking	\$1,500	\$63	\$500	\$23	\$1005	\$80	\$65	\$3,236
Annualized material costs	\$300	\$13	\$100	\$5	\$201	\$16	\$13	\$648
Labor cost at \$21/hr	\$31,500	\$1,323	\$10,500	\$483	\$21,105	\$1,680	\$1,365	\$67,956
Annualized labor cost	\$6,300	\$265	\$2,100	\$97	\$4221	\$336	\$273	\$13,592