

SUPPORTING STATEMENT
Highly Migratory Species Tournament Registration and Reporting
OMB CONTROL NO. 0648-0323

A. JUSTIFICATION

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

The Secretary of Commerce is authorized to regulate fisheries for Atlantic Highly Migratory Species (HMS) under the Magnuson-Stevens Fishery Conservation and Management Act and the Atlantic Tunas Convention Act, as amended.

For all HMS tournaments that are conducted from a port in an Atlantic coastal state, including the U.S. Virgin Islands and Puerto Rico, a tournament operator must register with NOAA's National Marine Fisheries Service (NMFS) HMS Management Division, at least 4 weeks prior to commencement of the tournament, by submitting information on the purpose, dates, and location of the tournament. A tournament is not registered unless the tournament operator has received a confirmation number from NMFS. NMFS will notify the tournament operator in writing when a tournament has been selected for reporting. Tournament operators that are selected to report must maintain and submit to NMFS a record of catch and effort on forms available from NMFS. Tournament operators must submit the completed forms to NMFS, either online or "at an address designated by NMFS, postmarked no later than the 7th day after the conclusion of the tournament, and must attach a copy of the tournament rules." (50 CFR 635.5(d)). An online registration and reporting portal is available for tournament operators to submit the required forms.

NMFS proposes to renew tournament registration and reporting requirements for Atlantic HMS. Atlantic HMS tournament registration is important for the management of swordfish, billfishes, tunas, and sharks, because it characterizes a portion of the recreational fishing effort on these species, including location and targeted species. HMS tournament registration enables the collection of contact information for the operators of tournaments that target HMS so that NMFS may collect reports of fishing catch and effort following the event. The information allows NMFS, in the course of developing fishery management plans, to evaluate the social (e.g., effect of tournaments on number of HMS-permitted anglers, the number of individuals to whom HMS educational outreach materials are distributed, or the regulatory impacts on fishing culture of the communities in which HMS tournaments are held) and economic impact of tournament angling in relation to other types of HMS angling (e.g., commercial, non-tournament recreational), the potential impacts on tournament operations, and the relative effect of tournament angling on populations of various regulated HMS. Further, registration by HMS tournament operators opens an avenue for NMFS educational outreach specific to HMS tournament fishing activities and participants.

HMS tournament reporting is necessary for the collection of catch and effort data to calculate total annual catch for stock assessments and to meet international reporting obligations, such as those mandated under the Atlantic Tunas Convention Act of 1975 for NMFS to report annually

to the International Commission for the Conservation of Atlantic Tunas (ICCAT).

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 tournament registration and reporting procedures involve: (1) mandatory registration of Atlantic HMS tournaments; and, (2) for tournaments selected by NMFS, mandatory reporting of tournament results, including the documentation of all instances of landing an Atlantic HMS during a tournament. These processes are carried out as follows:

- (1) NMFS requires that the tournament operator (the person or entity responsible for maintaining records of participants and results) register the tournament, including the date, location, and target species of the tournament, at least four weeks prior to the commencement of the tournament.
- (2) The tournament operator collects the following data on all HMS encountered from all boats: whether the fish were kept, released, or lost; condition of the fish when released (alive or dead); and the weight and length of all boated fish. This information is already routinely collected during tournament operations, which makes the reporting burden solely one of transcribing existing information onto a single form, provided by NMFS. The completed reporting form must be submitted to NMFS no later than 7 days after the conclusion of the tournament.

The information obtained from each tournament operator on the HMS Tournament Registration Form includes:

- a. The name, date(s), and location(s) of the tournament;
- b. The Director/Operator's name, address, phone number, fax number, e-mail address, and signature;
- c. Whether the tournament has registered in previous years, and the most recent year;
- d. Identification of HMS for which points or prizes will be awarded, and the option to list additional target species; and
- e. The option to request a specified number of HMS outreach materials.

NMFS uses this registration information to plan for the assignment of tournament observers to collect catch/effort data and biological data and samples from landed fish (length/weight, stomach contents, injuries, parasites, hard and soft tissue samples for age determination, genetic analysis, spawning condition, fecundity, etc.). The registration information also allows NMFS, in the course of developing fishery management plan amendments, to evaluate potential impacts of FMP requirements (e.g., quotas, permitting, catch reporting, gear requirements) on tournament operations. Additionally, NMFS is able to use the tournament information for angler educational outreach efforts including distribution of written informational materials, notification of public hearings, and explanation of HMS regulations.

The Atlantic Tunas General Category permit and the Swordfish General Commercial permit are commercial permits, but authorize permit holders to recreationally fish for other HMS only when participating in a registered HMS tournament; therefore, it is important for permit holders to be able to check the registration status of tournaments before participating. A close to real-time list of tournaments registered with HMS (including tournament names, date(s), location(s), and target species) is posted on the internet from this information collection, assisting potential tournament anglers in determining participation in upcoming events.

The reporting information obtained from each tournament operator on the HMS Tournament Summary Report includes:

- a. The name, location, and fishing club affiliation (if applicable) of the tournament;
- b. The total number of registered boats and whether the tournament is catch and release only;
- c. The daily fishing effort, including dates and hours fished, and number of boats fishing each of those days;
- d. The recorder's name, phone number, and e-mail address;
- e. The numbers of fish kept and released and their disposition when released (alive or dead) for each HMS;
- f. The size (weight and length) of each of the fish kept; and
- g. The option (empty space) to report additional non-HMS that were kept or released in the tournament.

The information requested on the reporting forms is collected during normal tournament operations by the tournament operator to determine awards of points or prizes to tournament participants. Thus, the only additional time or cost burden is encountered during transcription of reporting information on to the HMS tournament reporting form (electronic or paper), and if needed, photocopying or scanning, and mailing, e-mailing, or faxing the form. As mentioned above, the information is used by NMFS to assess total annual tournament catch and the relative effect of tournament angling on regulated HMS.

NMFS (through collaboration between the HMS Management Division and Southeast Fisheries Science Center) has created an online portal, called the Atlantic Tournament Registration and Reporting (ATR) system, through which tournament operators would have the option to register and report for their tournament and receive an emailed confirmation once the registration application or reporting information is reviewed by NMFS staff for completeness.

Data fields in the ATR system are the same as in the existing paper and PDF tournament registration and reporting forms. Atlantic HMS tournament operators who are returning to the ATR system will have appropriate, previously existing information for their tournament (e.g., tournament name, tournament date and location, operator name, address, phone number, fax number, email address, whether the tournament has registered in the previous years, and the most recent year) auto-filled in the online form to make registration and reporting easier and quicker.

Some other data fields will have drop-down menus available.

The ATR system provides another way to submit Atlantic HMS tournament registration information to NMFS in addition to the already existing options of mailing, e-mailing, and faxing.

The information that will be collected from HMS tournaments will be disseminated to the public or used to support publicly disseminated information. See responses to Questions 10 and 16 of this Supporting Statement for more information on data dissemination and use. NMFS will retain control over the personal information such as the tournament operator's name and address and safeguard it from improper access, modification, and destruction, consistent with legal standards and NOAA policy 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.

Tournament operators are required to register tournaments and to report tournament results on a NMFS form in order to standardize the data collected. The ATR system described above, provides an online option through which tournament operators can register and report their tournament and receive an emailed confirmation once the registration application is reviewed by NMFS staff for completeness. Over the past year, the majority of tournament operators have begun using the ATR system due to its ease of use. Additionally, electronically-fillable (PDF) tournament registration and reporting forms are available for public printing from the HMS tournaments web site at <https://www.fisheries.noaa.gov/atlantic-highly-migratory-species/atlantic-highly-migratory-species-tournaments#federal-regulations-for-tournaments>. The forms are also available via e-mail, mail, or fax upon request. Completed registration forms may be e-mailed, faxed, or mailed back to NMFS.

NMFS provides access, through the ATR system and Atlantic HMS website to general tournament registration information (tournament name, date(s), city, state, & target species) as a service to publicize tournaments and to inform potential tournament anglers of upcoming events and their registration status, which may affect some fishery regulations for anglers.

4. Describe efforts to identify duplication.

This collection does not duplicate or overlap with any other collection of information. The list of registered HMS tournaments is searched prior to registration to avoid duplicate submissions. Mandatory reporting of recreational non-tournament Atlantic billfish and swordfish landings and recreational Atlantic bluefin tuna landings occurs under a separately approved collection (Atlantic Highly Migratory Species Recreational Landings Reports; 0648-0328). Although these

collections could document similar activities, NMFS is cognizant of possible duplication and actively makes efforts to avoid it. For example, tournament landings are exempt from the Atlantic billfish and swordfish recreational reporting requirement, and the non-tournament recreational reporting system requests that the angler indicate if the reported catch comes from a tournament, as a safeguard. In addition, two other separate approved information collections including the Large Pelagics Survey (LPS; 0648-0380) and the Marine Recreational Information Program (MRIP; 0648-0052) complement tournament registration and reporting. The LPS and MRIP include telephone surveys and dockside interviews with recreational anglers. These surveys actively identify and attempt to segregate tournament landings from other non-tournament recreational landings.

The Marine Recreational Information Program (MRIP) has used HMS tournament reporting forms for special projects, such as the 2009 report, *Evaluation of the Sampling Distribution of Tournament Versus non-Tournament Trips in the Large Pelagics Survey*, but does not select tournaments for reporting as a regular part of MRIP. MRIP data collectors coordinate with Recreational Billfish Survey (RBS) data collectors who share billfish catch reports to ensure that no tournament is selected twice during these projects.

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

Four options are available for submission of the HMS Tournament Registration and Reporting forms: the ATR system (online submission), FAX, mail, and e-mail. The options are available to minimize the burden of submitting forms to NMFS, assuming that the operator would select the least cumbersome of the choices, based on personal preference. The forms are available online or, if the internet is not available, via telephone request and FAX or postal mail. Based on the availability of these options, this information collection will not have a significant impact on small entities because both the registration and reporting requirements require minimal time and effort to complete.

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

If the collection of tournament information were not conducted, NMFS would have difficulty complying with international obligations, such as International Commission for the Conservation of Atlantic Tunas (ICCAT) landings limits and reporting requirements. NMFS must have tournament information to evaluate the relative impact of various types of angling on HMS. If NMFS is unable to obtain this information, then the agency would be unable to fully assess the costs, benefits, and likely impacts of subsequent regulations and rules regarding either HMS or HMS tournament angling, as required by the Magnuson-Stevens Act. Also, fishing tournaments provide a unique opportunity for biologists to obtain an abundance of fishery information in a relatively short time period. It is both efficient and essential to gather this information, as it is already being collected by operators of HMS angling tournaments (catch and effort data, landings, etc.), so that it can be incorporated into the formulation of HMS fishery management policies. Likewise, fishing tournaments provide a unique opportunity for NMFS to distribute HMS educational and regulatory outreach materials to a large number of anglers. The frequency

of this information collection directly coincides with the frequency of the tournament activities, making the most efficient and timely fisheries information available, and would therefore be inappropriate at different or less frequent times.

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

OMB guidelines state that an information collection should not require respondents to prepare a written response in fewer than thirty days after they receive the request. Since tournament operators are required to register at least four weeks in advance of the tournament, selection of tournaments for reporting (request for catch report) occurs shortly thereafter, and reporting is required within 7 days after the tournament has ended, this requirement should be met. In the event that an operator does not register with HMS at least four weeks prior to the start of the tournament, the written response may be requested with fewer than 30 days until it is due. The 7-day reporting time frame is due to international obligations of NMFS to monitor the catch of certain HMS according to agreed-upon international quotas or agreed-upon reductions in landings, established to ensure the sustainability of such species.

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 Federal Register Notice soliciting public comment on this proposed collection of information was published on October 3, 2018, (83 FR 49913). The comment period closed on December 7, 2018. No comments were received as a result of the Notice.

NMFS routinely consults with outside parties to obtain the public's view on the availability of fishery data, frequency of data collection, clarity of instructions and recordkeeping requests, disclosure of information, reporting format, and the data elements to be recorded, disclosed, or reported. These consultations occur in the context of HMS Advisory Panel meetings, public hearings, written correspondence, telephone conversations, and conversations with tournament anglers and tournament operators.

HMS Management Division requested feedback by soliciting specific comments from tournament operators (respondents or other stakeholders) on the collection as a whole. Two comments were received, stating that HMS tournament registration burden is almost zero. The online component has made it even easier to register and report tournaments compared to previous methods. What used to take 15-20 minutes on their laptop is now a 2-minute procedure on their smartphone. Two tournament operators felt the HMS tournament registration and reporting process is a good way for NOAA to be informed about the landings and releases of HMS, and the data collected will help put the recreational fishery in a positive light. Additionally, a tournament operator was content with the methods made available to register and

report the results online. Without this information, NOAA would not be able to manage this fantastic resource properly. The information collected from HMS tournaments is important to the United States to meet international ICCAT reporting obligations and to aid in evaluating the biological, social, and economic impact of tournament angling, including the assessment of the fishing impact on and health of HMS stocks. One tournament operator expressed the desire to edit tournament information to better reflect changes that occur over the years. For example, a tournament's name may change or two tournaments may merge into one that then continues to occur over time. The agency reached out to the tournament operator in response to this comment and informed them that the ATR system can perform this task. An agency representative, in collaboration with the tournament operator, can update and capture this tournament information/evolution into the ATR. These comments from tournament operators are positive and NOAA has taken no specific action to respond other than continuing the practices that were implemented along with the additional outreach mentioned above.

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

No payment or gifts will be 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 a Paperwork Reduction Act (PRA) statement, addressing confidentiality, printed on public notification materials, including the tournament registration and reporting forms and the ATR system online. It is NOAA policy to preserve the confidentiality of information submitted under this reporting requirement, except that NMFS may release such information in aggregate or summary form, such that individual identifiers are not disclosed (NAO 216-100). Information such as the number of registered tournaments, the species that they targeted, and the states in which they occurred is provided in the annual Stock Assessment and Fishery Evaluation (SAFE) Report, in Fishery Management Plan (FMP) regulatory amendments, and in supporting documents made available to the public upon request. A statement is included on the tournament registration form, informing operators that registered tournament information (tournament name, date(s), city, state, & target species) is posted online at <https://grunt.sefsc.noaa.gov/apex/f?p=127:10:14638539338541> as a service to publicize tournaments and to inform potential tournament anglers of upcoming events that are in compliance with HMS regulations. Participation in an unregistered tournament is in violation of some Atlantic HMS permit types, so it is imperative that permit holders have access to a list of registered HMS tournaments. All other information submitted under this reporting requirement remains confidential, or is released only in aggregate or summary form such that individual identifiers (e.g., tournament operator's name, phone number, postal address, and e-mail address) are not disclosed.

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, such as sexual behavior and attitudes, religious beliefs, or

other matters that are commonly considered private are included in this information collection.

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

Approximately 300 tournament operators are expected to respond to the tournament registration form. With this number of respondents, and an approximate response time of 2 minutes per tournament registration form, we expect a total of 10 burden hours.

Tournament Registration: 300 respondents x 2 minutes = 10 hours

Up to 300 tournaments may be selected for reporting. Since this information is collected as a regular part of tournament operations, the time for each response is calculated based on the time it should take to transcribe the data onto HMS tournament reporting forms. With this approximate response time of 20 minutes for each of the 300 respondents, we expect a total of 100 burden hours for tournament reporting.

Tournament Reporting: 300 respondents x 20 minutes = 100 hours

Total Burden for Registration and Reporting: 10 hours + 100 hours = 110 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).

The only costs associated with this collection would be for internet service for online ATR system use, e-mailing, mailing, or faxing the forms to NMFS. For registration, given an estimated 300 respondents and assuming that half will use the online ATR system or e-mail (\$0.01 for the cost of brief internet service or two sheets of paper printed to sign and scan), a quarter will mail (\$0.55 postage), and a quarter will fax (\$0.20/ minute × 1 minute) the registration forms, it is estimated that the total annual cost to the respondents for registration will be approximately \$54.

| Mode of Submission | Number of Respondents | Cost (\$) | Total (\$) |
|----------------------------|-----------------------|-----------|------------|
| ATR or E-mail | 150 | 0.01 | 1.50 (2) |
| Mail | 75 | 0.55 | 41.25 (42) |
| FAX | 75 | 0.20 | 15 |
| Total Cost of Registration | | | 58.50 (59) |

Similarly, for tournament reporting, given 300 respondents (rounding up) and assuming that half will use the online ATR system or e-mail (\$0.01 for the cost of brief internet or cellular phone service or two sheets of paper printed to sign and scan), a quarter will mail (\$0.55 postage), and a quarter will fax (\$0.20/ minute × 1 minute) the reporting forms, it is estimated that the total annual cost to the respondents for registration will be approximately \$59.

| Mode of Submission | Number of Respondents | Cost (\$) | Total (\$) |
|-------------------------|-----------------------|-----------|------------|
| E-mail | 150 | 0.01 | 1.50 (2) |
| Mail | 75 | 0.55 | 36.75 (37) |
| FAX | 75 | 0.20 | 15 |
| Total Cost of Reporting | | | 58.50 (59) |

In summary, the total annual cost burden to the respondents associated with this collection is expected to be approximately \$118 (\$59 for registration + \$59 for reporting).

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

Costs for printing and supplying the forms are expected to be minimal. An e-mail message is sent annually to each tournament operator with a reminder to register tournaments for the upcoming year and the message includes electronic links that guide the operator to appropriate online locations where registration and reporting information and forms may be obtained. The registration forms are also available on the internet and may be downloaded by respondents. In addition, NMFS provides a Faxed or e-mailed copy to respondents upon request. The registration form could be photocopied by respondents as needed. No new equipment or overhead costs will be incurred by NMFS, because existing equipment and staff will be used to collect and enter the data.

Estimated average hourly wage of staff (\$22/hr.) × [time to transcribe data and submit online or print and mail form (5 minutes) + time to collect and enter data from form (5 minutes)] = \$3.67/form. Number of registration and reporting forms (600) × \$3.67/form = \$2,202.

For mailing the registration form to tournament operators who have previously registered tournaments, given 300 tournaments at \$0.55/postage, and \$0.01/two sheets of paper, it is estimated that the annual cost to the Federal government will be approximately \$168.00.

The Atlantic HMS Tournament Summary Report form is e-mailed (up to approximately 150 respondents) and mailed (up to approximately 150 respondents) to tournaments that are selected for reporting and, given 150 tournaments at \$0.55/postage, and \$0.01/two sheets of paper, it is estimated that the annual cost to the Federal government will be approximately \$84.00. The cost to the Federal government to mail registration and reporting forms to tournaments is expected to be approximately \$252.00 (\$168.00 + \$84.00).

The cost to the Federal government for maintaining/supporting the ATR system such as bug fixes, data queries, new validations or other minor modifications to the system are estimated at 1 day per month of Information Reporting and Management (IT) and/or Consulting staff (average hourly wage \$75/hr.). Estimated at 1 day (8 hours X \$75/hr = \$600) X 12 months = \$7,200.

The total cost to the Federal government, including staff wages for time spent on tournament form distribution and collection, is therefore \$252 + \$2,202 + \$7,200 = \$9,654.

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

The adjustment of the annual cost burden from \$108 to \$118 is due to the increase in postage associated with mailing forms. The adjustment of the annual total cost to the Federal government includes addition of staff wages for maintaining/supporting the ATR online system from \$2,202 to \$9,654.

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

These data are not being collected for the purpose of publication in raw form. The aggregate information may be publicly distributed in scientific stock assessments for individual species, in the annually published SAFE Report, in Fishery Management Plan (FMP) amendments, or on NMFS internet sites. This could include information on the aggregate number of registered tournaments, the number of tournaments by state, and total landings by species and state. As a result, tournament information should be considered as one component, among many, factoring into fishery policy and management decisions.

Tournament information (tournament name, date(s), city, state, & target species) is provided by NMFS to the public as a service to publicize tournaments and to inform potential tournament anglers of upcoming events and their registration (compliance) status with NMFS in order to aid tournament and anglers with regulatory compliance.

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.