

## SUPPORTING STATEMENT

### PERMIT AND REPORTING REQUIREMENTS FOR NON-COMMERCIAL FISHING IN THE ROSE ATOLL, MARIANAS TRENCH, AND PACIFIC REMOTE ISLANDS MARINE NATIONAL MONUMENTS

OMB CONTROL NO. 0648-0664

This Supporting Statement is for an extension of the previously approved information collection under OMB Control No. 0648-0664.

#### A. JUSTIFICATION

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

The NOAA Fisheries Service (NMFS) manages non-commercial fishing activities in the Rose Atoll, Marianas Trench, and Pacific Remote Islands Marine National Monuments. Regulations at 50 CFR Part 665 require the owner and operator of a vessel used to non-commercially fish for, take, retain, or possess any management unit species in these monuments to hold a valid permit issued by NMFS.

Regulations also require the owner and operator of a vessel that is chartered to fish recreationally for, take, retain, or possess, any management unit species in these monuments to hold a valid permit issued by NMFS. The fishing vessel must be registered to the permit. The charter business must be established legally in the permit area where it will operate. Charter vessel clients are not required to have a permit.

The permit application collects basic information about the permit applicant, type of operation, vessel, and permit area. NMFS uses this information to confirm the identity of the applicant and determine permit eligibility. The information is important for understanding the nature of the fishery and its participants. It also aids in the enforcement of fishing regulations within the monuments.

Regulations also require the vessel operator to report a complete record of catch, effort, and other data on a NMFS log sheet. The vessel operator must record all requested information on the log sheet within 24 hours of the completion of each fishing day. The vessel operator also must sign, date, and submit the form to NMFS within 30 days of the end of each fishing trip. NMFS uses the information provided in the log sheets to monitor fishing activities, evaluate and assess the status of fish stocks and determine whether changes in management are needed to sustain the productivity of the fishery and conserve marine resources.

##### 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.

*Permits*

NMFS collects information about applicants and their vessels on permit applications. Once issued, permits are valid for one calendar year. Information from the permit application allows NMFS to confirm the identity of the applicant, and to determine whether the applicant qualifies for the permit. NMFS uses vessel information, such as documentation or registration, ownership, managing ownership, etc., to determine whether the applicant is an owner of a U.S. documented/registered vessel. NMFS may provide information to NOAA Office of Law Enforcement (OLE), the U.S. Coast Guard (USCG), and the Western Pacific Fishery Management Council (Council). NMFS will not disseminate private information to the public, and information will be reported only in non-confidential or aggregate form.

#### *Daily Fishing Log*

Vessel operators fishing non-commercially in the Monuments must submit a completed Marine National Monument Daily Fishing Log sheet to NMFS for each day fished within 30 days of the completion of a monument fishing trip. The log sheets provide the information that NMFS and the Council need to monitor fishing, and evaluate and assess the status of stocks and dependent fisheries. NMFS and the Council use the information to determine whether changes in management are needed to sustain the productivity of the stocks or to address economic issues. Without the information, NMFS and the Council would be unable to determine whether the Monument management program is achieving the objectives of Fishery Ecosystem Plans (FEP) and the Magnuson-Stevens Act. Information from the catch reports is used by fishery and enforcement officials of NMFS, USCG, American Samoa, Guam, and Commonwealth of Northern Mariana Islands (CNMI) to monitor compliance with fishing requirements.

NMFS aggregates and/or summarizes any publicly disseminated information to maintain the confidentiality of the information pertaining to the individual vessels. NMFS retains control over the information and safeguard it from improper release, 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. The information collection is designed to yield data that meet all applicable information quality guidelines. The information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#) prior to dissemination.

### **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.**

At this time, the information will be collected only on paper forms (however, the Federal Monument fishing permit application is available online at <https://www.fisheries.noaa.gov/pacific-islands/commercial-fishing/pacific-islands-fishing-permits>). The collection of information does not require any knowledge of automated, electronic, mechanical or other technology.

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

There is no single comprehensive permit or catch reporting requirement for non-commercial fishing activities in American Samoa (Rose Atoll) or Guam and CNMI (Marianas Trench). In both islands areas, NMFS currently requires permit and reporting for only certain species (e.g., lobsters), gear types (e.g., longline) or sectors (e.g., commercial). The information collection for non-commercial fishing in the Monuments replaces any other reporting requirements that apply within federal waters of the Rose Atoll Monument and the Islands Unit of the Marianas Trench Monument to ensure comprehensive and non-duplicative permits and reporting for non-commercial fishing.

In the Pacific Remote Island Areas (PRIA), NMFS requires permits and catch reporting for all federally-managed stocks, and will continue to rely on existing permits and catch reporting, previously approved by OMB under OMB Control Nos. 0648-0214, 0648-0360, 0648-0462, 0648-0463, and 0648-0490. However, Proclamation 8336, establishing the Pacific Remote Islands Monument, provides for recreational fishing, including passenger-for-hire charter fishing, a type of fishing activity that was not included under the PRIA FEP and existing collection requirements. For this reason, a non-commercial fishing permit, including recreational charter and non-commercial individual fishing vessel catch reporting was implemented.

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

Most charter boat vessels are small businesses, based upon Small Business Administration (SBA) criteria that their annual gross revenue, from all sources, does not exceed \$7.0 million. Regardless, the minimum information necessary is required, and the means of reporting outlined below will minimize certain aspects of the burden.

*Permits*

Federal Monument fishing permit applications are available online at <https://www.fisheries.noaa.gov/pacific-islands/commercial-fishing/pacific-islands-fishing-permits>. Applications may be downloaded, printed, and then mailed to NMFS. Permits will be issued by NMFS and delivered via U.S. mail or at the Honolulu Service Center at Pier 38, Honolulu Harbor.

*Daily Fishing Logs*

NMFS will provide blank catch report forms and instructions via U.S. mail or at Honolulu Service Center with issued Federal Monument fishing permits, whichever is more convenient for permit holders. Fishermen may contact the Pacific Islands Fisheries Science Center in Honolulu in writing by email, FAX, or mail for help in completing the monument log sheets.

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

*Permits*

Without this collection, or if it is collected less frequently than proposed, NMFS will be unable to properly evaluate eligibility to participate in non-commercial fisheries in the Monuments. It will be difficult to monitor the fisheries and their participants, determine entry and exit patterns, and provide information needed to ensure full impact analysis for fisheries management programs. Without this information, enforcement agents will not be able to identify fishermen

for compliance monitoring, and NMFS would be unable to consult with permit holders on regulatory changes.

#### *Daily Fishing Logs*

Catch reporting is needed to get an accurate count of the effort level and amount of harvest, occurring in the Monuments and to ensure that fishing is sustainable as required by the Presidential Proclamations.

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

None.

#### **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 was published on April 15, 2019 (84 FR 15187) soliciting public comments on the extension of this collection. No comments were received from the FR notice. A separate solicitation to other federal, state, and territory government agencies yielded only one response.

Comment 1: From a USFWS supervisor: "Sorry for the delayed response. No comment on my end."

Response 1: I thanked the person 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 provided.

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

As stated on the forms, under Section 402(b) of the Magnuson-Stevens Act and [NOAA Administrative Order 216-100](#), information submitted in accordance with regulatory requirements under the Act is confidential. This includes personal and proprietary information contained in the permits and catch reports.

This information collection is included in a comprehensive NMFS Permits and Registrations System of Records Notice (SORN), COMMERCE/NOAA #19, Permits and Registrations for U.S. Federally Regulated Fisheries, published on August 7, 2015, and effective on October 15, 2015.

**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 does not ask questions of a sensitive nature.

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

*Permits*

NMFS estimates up to 25 permits annually, with up to 7 fishing permit applications each for the Rose Atoll and the Marianas Islands Unit and up to 11 permit applications a year for the Pacific Remote Islands Monument. At this time, NMFS cannot estimate what portion of applications will be businesses, including small businesses vs. individual/households.

NMFS estimates that each of the 25 fishing permit applicants are expected to spend 15 minutes completing the application for a maximum information collection burden of 6.25 hours per year.

*Daily Fishing Logs*

NMFS estimates the time requirement for completing Federal log sheets to be approximately 20 minutes per vessel per fishing day. Assuming 25 vessels take one trip per year to the Monument, and each fishing trip lasts three days, the program would generate up to 75 reports (25 trips x 3 days) annually. Thus, the total collection of information burden estimate for catch reporting (based on 75 reports at 20 minutes each) is 25 hours per year.

Total: 6.25 hr (permits) + 25 hr (catch reports) = 31 hr (rounded).

**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 is no start-up capital cost for complying with this requirement. Respondents will use paper forms provided by NMFS for providing all information. Based on an annual estimate of 25 permit applications and 75 catch reports (total of 100 submissions), the maximum estimated cost to respondents for postage, copies, etc., related to this collection is \$200 per year.

Permit cost estimate:

Est. copying and postage: 25 x \$2.00 = \$50

Reporting cost estimate:

Est. 75 logsheets x \$2.00 copying and postage = \$150

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

*Permits*

The estimated annual cost to the Federal government to administer this information collection is up to \$375. This includes the cost of processing permit applications, checks, and issuing permits based on 25 applications x 30 min./application x \$30/hr.

*Daily Fishing Logs*

The estimated annual cost to the Federal government to administer this information collection is up to \$1,140. This includes the cost of printing blank daily catch report forms of \$15 (based on 75 forms x \$0.20 per form), and processing of forms of \$1,125, which is calculated by the cost of staff time for receiving and entering catch reports (75 forms x 30 min/form x \$30/hr).

**Total Cost:** \$375 + \$1,140 = \$1,515

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

The number of respondents was revised down to 25 from 35, as responses to this collection have been fewer than earlier estimated.

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

No formal scientific publications based on these collections are planned at this time. NMFS and the Council will use the information (primarily in an aggregated, non-confidential format) for developing management reports and fishery management plan amendments and evaluations. Subsequent use of the data collected over a series of years may include scientific papers and publications.

**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.