

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Gulf of Mexico Electronic Logbook
OMB Control No. 0648-0543

This request is for renewal of this current information collection.

A. JUSTIFICATION

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

The National Marine Fisheries Service (NMFS) manages the shrimp fishery in federal waters of the Gulf of Mexico (Gulf) under the Shrimp Fishery Management Plan (FMP). Regulations implementing the FMP require owners and operators (permit holders) of federally permitted shrimp vessels, if selected by NMFS, to install an electronic logbook (ELB) on their vessel and participate in the NMFS-sponsored electronic logbook reporting program. Regulations requiring ELBs on federally permitted Gulf shrimp vessels selected by NMFS may be found at [50 CFR 622.51\(a\)\(2\)](#).

As of September 12, 2019, there were approximately 1,410 vessels with valid and renewable federal permits to harvest shrimp from the exclusive economic zone (EEZ) of the Gulf. Monitoring shrimp vessels, operating together with many other fishing vessels of differing sizes, gear types used, and fishing capabilities, is made even more challenging by seasonal variability in shrimp abundance and price, and the broad geographic distribution of the fleet. ELBs provide a more precise means of estimating the amount of fishing effort than paper logbooks. ELBs provide a precise means of estimating the amount of shrimp fishing effort. Using ELBs to estimate fishing effort serves an important role to help estimate bycatch in the Gulf shrimp fleet.

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

NMFS determined there is a need for precise estimates of fishing effort by vessels harvesting shrimp in the Gulf EEZ to better determine the amount and type of bycatch. The ELB provides data on fishing effort and location, and improves the accuracy and precision of the data being collected in the shrimp fishery. ELB information is electronically collected to maintain 10-minute time interval updates to fishing effort. Specifically, the ELB collects vessel position information. All vessels selected by NMFS (up to 1,410 vessels) must participate in the NMFS-sponsored ELB program. Once a vessel is selected, it remains part of the sample. Because the Gulf shrimp fishery requires a limited-access federal permit, and there is a moratorium on new federal Gulf shrimp permits until October 26, 2026, the maximum number of vessels that could be active and have an ELB unit on board at any one time is 1,410. Thus, 1,410 participants (respondents) are estimated for this collection.

The number of respondents is slightly lower than the number specified in the *Federal Register* notice that NMFS published on October 4, 2019 (84 FR 53113). In that notice, which solicited

public comments on this renewal request, NMFS stated there were 1,412 valid and renewable federal permits for Gulf shrimp. It is normal for the number of federal Gulf shrimp permits to decrease slightly over time.

NMFS anticipates that the collected information will be disseminated to the public or used to support publicly disseminated information. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See also the response to Question 10 below 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, NMFS will subject the information 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.

The ELB unit automatically and passively collects fishing effort data and transmits those data via a cellular phone connection activated when the vessel is within non-roaming cellular range.

4. Describe efforts to identify duplication.

The Magnuson-Stevens Act's operational guidelines require each FMP to evaluate existing state and federal laws that govern the fisheries in question, and the findings are made part of each FMP. The membership of each fishery management council is comprised of state and federal officials responsible for resource management in their area. These two circumstances identify other collections that may be gathering the same or similar information. In addition, each FMP undergoes extensive public comment periods where potential applicants review the proposed permit application requirements. Therefore, NMFS is confident it is aware of similar collections if they exist. The other information proposed to be collected is not being collected elsewhere; therefore, this data collection would not cause duplication. Although the Southeast Region uses satellite-based vessel monitoring systems (VMS) to monitor some of the commercial fishing fleets, currently, no such program exists in the Gulf shrimp fishery; therefore, no duplication exists between the ELB and VMS programs.

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

Because, all applicants are assumed to be small businesses, separate requirements based on size of business have not been developed. Only the minimum data to meet the current and future needs of NMFS' fisheries management are requested from the vessel owners or permit holders.

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

If NMFS cannot identify the effort of the Gulf shrimp industry, characterizing the amount and type of bycatch within the fishery becomes extremely difficult, if not impossible. The Southeast Region could be in violation of the Magnuson-Stevens Act, section 303(a)(11) if the amounts and types of bycatch are not identified in the shrimp fishery. In addition, due to the seasonal

variability in abundance and price and the broad geographic distribution of the fleet, it is practically impossible to estimate the actual amount of fishing effort using other available methods and data. Due to this seasonality, it is essential that the data be collected at regular intervals.

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

There are no special circumstances that require the collection to be conducted in a manner inconsistent 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 4, 2019, NMFS published a notice in the *Federal Register* that solicited public comments on the renewal of the information collection under OMB Control No. 0648-0543 (84 FR 53113). No comments were received.

Over the last 12 months, NMFS has consulted with 8 permit holders concerning the time and cost burdens of this data collection. All of these permit holders reported that their cost estimates were similar to the NMFS estimate. Their estimated time burden associated with this data collection was approximately 3 hours per year. The amount of time spent varied and was reported to be spent on the following activities: submitting data requests, paying invoices and/or updating expired credit cards with the cellular vendor, and troubleshooting electronic and cellular issues with the ELB unit when not transmitting properly (with the majority of the time spent of the latter). In addition, feedback on data collection, repairs, billing and other issues is received from interactions solicited from quarterly notifications mailed to program participants regarding their logbook functionality.

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

There are no payments or other remunerations to respondents.

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

All data submitted under the proposed collection will be handled as confidential material in accordance with the Magnuson-Stevens Act, Section 402b, and NOAA Administrative Order 216-100, Protection of Confidential Fishery Statistics. Respondents are given this assurance as a part of the initial package received with the ELB.

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 are asked.

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

The current OMB inventory for estimated annual time burden is 4,323 hours, which NMFS calculated in 2016 from the estimated number of respondents (1,441), multiplied by the estimated burden hours per respondent annually (3).

The Federal Register notice that NMFS published on October 4, 2019, for this renewal request estimated a slightly higher number of total annual burden hours based on a slightly higher number of estimated respondents (1,412). NMFS has reduced the estimated number of respondents based on more recent data, and therefore, the estimated annual time burden is also reduced as stated below.

NMFS estimates that each vessel owner or operator will require 3 hours per year for troubleshooting problems with billing issues or problems with the functionality of the ELB unit. This time burden also includes ELB units that need repair or replacement, or for the installation of an ELB unit on a new vessel, which may result from a permit transfer.

As stated above, the ELB unit automatically and passively collects fishing effort data and transmits those data via a cellular phone connection, and results in no time burden to the permit holder.

For 1,410 ELB units on federally permitted vessels, **the total estimated time burden for this collection is 4,230 hours annually.**

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 current OMB inventory for estimated annual cost burden is \$345,840, which NMFS calculated in 2016.

The *Federal Register* notice that NMFS published on October 4, 2019, for this renewal request estimated the total annual cost burden to respondents at \$338,880, based on a slightly higher number of estimated respondents (1,412). NMFS has reduced the estimated number of respondents based on more recent data, and therefore, the estimated annual cost burden is also reduced as stated below.

Respondents are only responsible for data transmission costs of \$240 per year. Applied to the total number of respondents for each of the 1,410 federally permitted vessels potentially selected to participate in the program, **the estimated total annual cost burden for this collection is \$338,400.**

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

The estimated annual cost to the Federal Government is \$469,556. This cost includes \$360,000

for salary of program staff needed for database management and data analysis, \$54,000 for the annual project budget, and \$55,556 for software upgrades and licenses.

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

Adjustment: The number of respondents and responses changes for this collection. As stated above, the Gulf shrimp fishery requires a limited-access federal permit, and there is a moratorium on new federal Gulf shrimp permits until October 26, 2026. As of September 12, 2019, the maximum number of vessels that could be active and have an ELB unit on board at any one time is 1,410. This is also the number of respondents and total annual responses. A vessel with an ELB unit is required to participate in the data collection program each year if the permit holder participates in the Gulf shrimp fishery. Therefore, the number of responses potentially required is 1,410.

Estimates of annual time burden for is reduced with the corresponding decrease in the number of respondents resulting in a new total of 4,230 hours.

Estimates of annual cost burden for data transmission is reduced based upon the maximum number of respondents and results in a new total of \$338,400.

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

The results from this collection are not planned for statistical publication, although NMFS may distribute the results for general information.

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.

This information collection does not use printed forms, so it is not possible to display the expiration date.

18. Explain each exception to the certification statement.

There are no exceptions for compliance with provisions in the certification statement.