

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**NMFS Alaska Region Vessel Monitoring System (VMS) Program**  
**OMB Control No. 0648-0445**

**INTRODUCTION**

This is a resubmission, with the final rule, for 3-year renewal and revision of an existing collection due to an associated rule (RIN 0648-BI65) for Amendment 118 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area. One component of this collection is revised, and three are removed.

The rule also affects information collection requirements approved under OMB Control Numbers 0648-0213 (Alaska Region Logbook and Activity Family of Forms) and 0648-0272 (Alaska Pacific Halibut and Sablefish Fisheries: Individual Fishing Quota). Concurrent with this request to revise 0648-0445, NMFS submitted a separate request to revise 0648-0213 and a change request for 0648-0272.

National Marine Fisheries Service (NMFS) Alaska Region manages the groundfish and crab fisheries in the exclusive economic zone (EEZ) of the Bering Sea and Aleutian Islands Management Area (BSAI) and the groundfish fisheries of the Gulf of Alaska (GOA) under fishery management plans (FMPs) for the respective areas. The North Pacific Fishery Management Council prepared, and NMFS approved, the FMPs under the authority of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.* The Northern Pacific Halibut Act of 1982 at 16 U.S.C. 773–773k provides the Secretary of Commerce with the authority and general responsibility to carry out the requirements of the Preservation of the Halibut Fishery of the North Pacific Ocean and Bering Sea. Regulations implementing the FMPs appear at 50 CFR parts [679](#) and [680](#).

NMFS requires the owners and operators of selected vessels participating in federally managed groundfish and crab fisheries off Alaska to obtain, install, and maintain an operational, NMFS-approved Vessel Monitoring System (VMS). The VMS units integrate global positioning system and communications electronics in a single, tamper-resistant package to automatically determine the vessel's position several times per hour. The units can be set to transmit a vessel's location periodically and automatically to an overhead satellite in real time. The VMS unit is passive and automatic, requiring no reporting effort by the vessel operator. A communications service provider receives the transmission and relays it to NMFS Office for Law Enforcement (OLE) who then provides VMS data access through vTrack to other government users after they sign a non-disclosure agreement. Vessel owners and operators also may have their vessel VMS data relayed to a third-party designee such as Marine Exchange of Alaska so that vessel owners can track their vessels and fleets.

Amendment 118 authorizes retention of legal-size halibut in pot-and-line and longline pot gear used to fish for halibut or sablefish IFQ/CDQ in the BSAI, provided the IFQ/CDQ holder holds sufficient halibut IFQ/CDQ for that IFQ regulatory area. This action provides an additional

option for the type of fishing gear that may be used to retain halibut in the BSAI. This action is necessary to improve efficiency and provide economic benefits for the IFQ and CDQ fleets and minimize potential fishery interactions with whales and seabirds.

Under this action, vessel operators who choose to use pot gear will be required to use a VMS to provide information about fishing location. This requirement is necessary to ensure consistency in the monitoring requirements across the IFQ/CDQ fleets in the BSAI. Vessels that fish for IFQ sablefish in the BSAI already are required to have a transmitting VMS. Although, some additional vessels may install VMS, NMFS estimates that these few additional vessels are covered in the conservative estimates of respondents already included in this collection. Therefore, no increase in the number of respondents is associated with this revision to the collection.

Amendment 118 also removes the VMS check-in report and removes the sablefish call-in requirement because these collections are no longer necessary. This revision does not change the number of respondents, but does reduce the number of responses for this collection overall.

## **A. JUSTIFICATION**

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

Tracking vessel location using VMS is required to monitor compliance with area-specific catch allocations, to monitor compliance with requirements to redeploy or remove fishing gear from commercial fishing grounds, and to monitor compliance with complicated time and area closures in the GOA and BSAI designed to protect Steller sea lion or essential fish habitat. Table 1 summarizes these VMS requirements by providing information about who must provide vessel location information to NMFS through VMS, references for the regulatory requirements, and a brief explanation of the reason for the VMS requirement.

NMFS has determined that traditional methods of relying on industry reports, observer reports, and periodic surveillance by the U.S. Coast Guard and NMFS OLE are not adequate to monitor the complex, overlapping, and numerous closure areas, area-specific allocations to individuals and entities, and other regulatory limitations. These determinations were made through the rulemaking process for the various actions implementing VMS requirements. More information about the background and history of the Alaska Region's VMS requirements may be found on the Alaska Region web site (<https://www.fisheries.noaa.gov/topic/enforcement#vessel-monitoring>) and in the proposed and final rules that implemented these VMS requirements.

VMS is generally acknowledged to be an essential component of monitoring and management for complicated, geographically widespread fishing closures. Given the large size and remoteness of the area in which Alaska fisheries occur, and the limited enforcement infrastructure available, determining a vessel's location depends crucially on VMS reports. When a VMS track is examined by a knowledgeable analyst, much information can be inferred about whether a vessel is actively fishing, the type of gear being used, and the fisheries that are open. This information can be useful for targeting vessels for more detailed observation. NMFS

uses information from VMS to identify where vessels are operating, to organize patrols so as to increase the number of fishing vessels visually examined, or to focus examination of vessels of greatest concern (because of past records of fishing violations or because of the location of fishing activity), and as evidence in prosecutions.

Table 1. VMS Requirements in the Federally Managed Fisheries Off Alaska.<sup>1</sup>

Who must carry an operational VMS?	Regulatory reference	Primary reason for the VMS requirement
Vessels that operate in a Federal reporting area when the vessel is authorized to participate in the Atka mackerel, Pacific cod, or pollock directed fisheries and the vessel’s authorized species and gear type is open to directed fishing. These VMS requirements do not apply to vessels using jig gear.	§§ 679.7(a)(18), instructions for FFP application form, and 679.28(f)(6)(i)	To monitor compliance with time and area closures to protect Steller Sea lions.
Vessels named on a Federal Fisheries Permit or Federal Crab Vessel Permit while operating in the Aleutian Islands subarea or operating a federally permitted vessel <sup>2</sup> in adjacent State of Alaska waters. In addition, vessels using trawl gear in the Aleutian Islands must set their VMS to transmit vessel location at least 10 times per hour.	§§ 679.7(a)(21), 679.28(f)(6)(ii) and (f)(6)(ix), 679.28(f)(7)	To monitor compliance with area closures to protect Essential Fish Habitat.
Vessels harvesting Crab Rationalization Program crab in the Bering Sea.	§§ 680.7(c)(2) and 680.23(d)	To monitor proper accounting of area-specific allocations.
Federally permitted vessels operating in the GOA with non-pelagic trawl or dredge gear on board.	§§ 679.7(a)(22), 679.28(f)(6)(iii)	To monitor compliance with area closures to protect Essential Fish Habitat.
GOA Rockfish Program — vessels assigned to a rockfish cooperative must use VMS at all times when operating in a reporting area off Alaska from May 1 until November 15; or until that rockfish cooperative has submitted a rockfish cooperative termination of fishing declaration that has been approved by NMFS. In addition, vessels assigned to a rockfish cooperative and subject to a sideboard limit must use VMS at all times when operating in a reporting area off Alaska from July 1 until July 31.	§§ 679.5(r)(7), 679.7(n)(3), 679.28(f)(6)(iv)	To monitor proper accounting of area-specific allocations.
Amendment 80 catcher/processors at all times while operating in the BSAI or GOA.	§§ 679.5(s)(7), 679.28(f)(6)(vi)	To monitor proper accounting of area-specific allocations.

<sup>1</sup> In addition to the Federal requirements, the State of Alaska also requires VMS for vessels using some gear types in parallel groundfish fisheries under 5 AAC 28.087(c).

<sup>2</sup> “Federally permitted vessel” is defined at § 679.2 as a vessel that is named on either a Federal fisheries permit or a Federal crab vessel permit.

Who must carry an operational VMS?	Regulatory reference	Primary reason for the VMS requirement
Vessels operating in the Western and Central GOA (Federal reporting areas 610, 620, or 630) that receive and process groundfish from other vessels.	§§ 679.7(b)(4)(ii), 679.28(f)(6)(v)	To monitor compliance with area-specific processing caps in the Western and Central GOA and a requirement that Pacific cod harvested in the GOA may not be delivered to a vessel for processing in a different regulatory area.
Vessels fishing for IFQ sablefish in the Bering Sea or Aleutian Islands IFQ regulatory areas (including vessels using pot gear).	§§ 679.28(f)(6)(vii), 679.42(k)(1)	To monitor proper accounting of area-specific allocations.
Vessels using pot gear to fish for IFQ or CDQ halibut or CDQ sablefish in the BSAI.	§§ 679.7(f)(26), 679.28(f)(6)(viii), 679.42(m)(4)(ii)	To monitor proper accounting of area-specific allocations, and to monitor vessels using pot gear to retain halibut IFQ or CDQ.
Vessels operating in a GOA IFQ regulatory area and using longline pot gear to fish IFQ sablefish or to retain halibut incidentally in longline pot gear.	§§ 679.7(f)(25), 679.28(f)(6)(viii), and 679.42(k)(2) and (l)(7)(ii), Annual halibut management measures (84 FR 9243, 3/14/2019)	To monitor compliance with requirements to redeploy or remove pot gear from the fishing grounds within a specified time period.
OPTIONAL Any vessel that carries a transmitting VMS while fishing for halibut in Area 4A, 4B, 4C, or 4D, and until all halibut caught in any of these areas is landed, is exempt from vessel clearance requirements.	Annual halibut management measures (84 FR 9243, 03/14/2019) No. 16--Vessel Clearance in IPHC Regulatory Area 4, No. (16)	To monitor proper accounting of area-specific allocations.  These requirements in the halibut annual management measures are not subject to the PRA. See further explanation under paragraph 2(d) below.

**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.**

**a. VMS operation [Revised]**

**Who:** Owners and operators of vessels required to carry transmitting VMS units are the people required to comply with the components of this information collection. Between 2015 and 2018, an average of 550 commercial fishing vessels per year participating in the federally managed groundfish, crab, scallop, and halibut fisheries off Alaska transmitted vessel location via VMS. NMFS has revised this estimate from 1,139 in the currently approved information collection based on better estimates of the number of vessels that are required to carry VMS units.

**How:** Vessel owners comply with the requirements to submit vessel location information to NMFS by purchasing, installing, and maintaining an approved and operational VMS unit. Prior

to participating in operations requiring VMS, a vessel owner must obtain a NMFS-approved VMS transmitter and install it or have it installed on board the vessel. The VMS transmitter must be available for inspection by NMFS personnel, observers, or authorized officers. The vessel owner must ensure that the VMS transmitter is not tampered with, disabled, destroyed, or operated improperly, and must pay all charges levied by the VMS service provider agreement.

**How frequently:** An average of 7,784,098 VMS transmissions per year were transmitted from these 550 vessels from 2015 through 2018. Most of these vessels were transmitting location information every half hour (two times per hour) when not in port and every hour while in port. Vessels using trawl gear to fish in the Aleutian Islands were required to transmit their location via VMS every ten minutes (six times per hour).

VMS transmissions are not considered responses or included in the burden hour estimates for this collection summarized in Question #12 because vessel position location is automatically transmitted from the VMS unit. The vessel transmission rates and total transmissions are used to estimate the communications costs associated with providing the vessel location information (see Question #13).

**For what purposes:** VMS allows verification of where fishing is occurring in real time. VMS allows verification that vessels fishing in an area are permitted to fish in that area, facilitates enforcement of area closures in certain fisheries, and allows NMFS OLE to check the accuracy of vessel position information reported by the vessel operator in the daily logbooks. VMS also helps ensure harvested fish are properly debited or reported because NMFS can track vessels as they arrive in port to offload the product. In addition, NMFS OLE also uses VMS to monitor compliance with requirements to redeploy or remove pot gear from the fishing grounds within a specified time period. VMS is used to track the management areas in which vessels are fishing on a given trip, and agents could then follow up with a dockside inspection to see what gear was returned to shore when making a landing. That information can be compared to the recorded number of pots that are registered to the vessel for that area, or areas, in the pot tag database.

VMS data also is used by NMFS and the North Pacific Fishery Management Council to analyze the impacts of current fisheries and proposed fishery conservation and management actions.

#### **b. VMS Check-In Report [Removed]**

This action removes the requirement for vessel owners activating VMS for the first time to submit a check-in report via the “VMS Fax Form.” Currently, vessel owners are required to fax a check-in report to register a new unit with NMFS OLE. The faxed check-in report is no longer necessary because the information NMFS OLE needs about a new VMS unit is provided automatically by the VMS unit when the new unit is activated.

#### **c. GOA Sablefish Longline Pot Gear Call In [Removed]**

This action removes the requirement for vessel operators in the sablefish IFQ fisheries to contact NMFS by phone and receive confirmation that their VMS unit is operating. Currently, vessel operators are required to call NMFS OLE at least 72 hours prior to using longline pot gear to fish for IFQ sablefish in the GOA. This vessel clearance requirement is no longer needed because

VMS and other reporting requirements provide the information needed by NMFS OLE to monitor this fishery.

**d. Optional Area 4 halibut check in [Removed]**

The operator of any vessel that fishes for Pacific halibut in International Pacific Halibut Commission (IPHC) Regulatory Areas 4A, 4B, 4C, or 4D (Bering Sea and Aleutian Islands) must obtain a vessel clearance from NMFS OLE before fishing in any of these areas, and before the landing of any Pacific halibut caught in any of these areas, unless specifically exempted from the vessel clearance requirements. Vessel clearance requests are made to OLE by telephone or VHF radio. Any vessel that carries a transmitting VMS while fishing for Pacific halibut in IPHC Regulatory Areas 4A, 4B, 4C, or 4D is exempt from the requirement to obtain vessel clearance by phone or VHF radio. However, vessel operators using VMS in lieu of vessel clearance requirements are required to notify NMFS OLE by telephone about their use of VMS. This phone call is the activity currently included in this information collection.

The vessel clearance requirements for fishing for halibut in Area 4 are implemented through the IPHC annual management measures, which are a product of an agreement between the United States and Canada and are published in the *Federal Register* to provide notice of their effectiveness and content. The halibut annual management measures involve a foreign affairs function of the United States, 5 U.S.C. 553(a)(1). Pursuant to section 4 of the Northern Pacific Halibut Act of 1982, 16 U.S.C. 773b, the Secretary of State, with the concurrence of the Secretary of Commerce, may “accept or reject” but not modify these recommendations of the IPHC. In other words, the Secretary of State has no discretion to modify the recommendations of the IPHC and these requirements are not promulgated in any Federal regulations. Therefore, the requirements of the Paperwork Reduction Act do not apply to the IPHC management measures and any burden hours or costs associated with the optional use of VMS to comply with the vessel clearance requirements do not need the approval of the OMB under the Paperwork Reduction Act. For this reason, the information collection burden and cost associated with notifying NMFS OLE that a vessel operator will use VMS in lieu of the vessel clearance requirements should not be included in this information collection (0648-0445) and are removed. Removal of this component of the information collection does not change the total number of unique respondents, but will reduce the number of responses, burden hours, and costs. See response to Question #15 for further information.

**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**

Section 515 of Public Law 106-554 (the Information Quality Act) requires NMFS to ensure the quality, objectivity, utility, and integrity of information it publicly disseminates. Data submitted by VMS units is aggregated, synthesized, summarized, and presented in a non-confidential format to the public in reports and analyses of fishery conservation and management measures. Public dissemination of these data is governed by NOAA's information quality guidelines, which were issued on October 30, 2004 ([http://www.cio.noaa.gov/services\\_programs/IQ\\_Guidelines\\_103014.html](http://www.cio.noaa.gov/services_programs/IQ_Guidelines_103014.html)).

Reports and analyses prepared with VMS data generally fall under NOAA's information quality category "synthesized products." These products have been developed through analysis of original data by applying methods that require some scientific evaluation and judgment; however, these methods of analysis generally are well documented and relatively routine. Therefore, peer review is generally not required for reports and analyses prepared using VMS data.

Reports and analyses undergo internal agency review by people familiar with the underlying data and fisheries being described. In addition, analyses presented to the North Pacific Fishery Management Council are reviewed by its Scientific and Statistical Committee.

Data from the VMS unit registration are maintained and used primarily by NMFS OLE to monitor compliance. This information may periodically be made available to the public in summary form as was done to prepare the projections used in this analysis.

**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 VMS collection-of-information is automated and integrates current information technology in the fishery management and monitoring process.

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

No other management agency requires the submission of VMS data from fishermen participating in the federally managed fisheries off Alaska. In general, Alaska Region information collections are prepared and reviewed by staff familiar with all of the information collection requirements for the region. Staff work together to develop information collection requirements for new programs. In addition, NMFS staff work closely with the staff of the Alaska Department of Fish and Game and the International Pacific Halibut Commission to reduce duplication in information collection requirements to the extent possible given overlapping jurisdictions and complex fisheries. Senior staff at the Alaska Region, NMFS headquarters, and the Department of Commerce General Counsel review all new and revised information collection requirements that are associated with rulemakings. This process minimizes the potential for duplication of information collection requirements for participants in the Federal fisheries off Alaska.

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

This collection-of-information does impact some small entities. NMFS has attempted to minimize the burden of the VMS requirements on small entities primarily through the VMS Reimbursement Program to offset the cost of purchasing a VMS unit. More information about this program is in the response to Question #13.

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

The VMS is an integral part of the management of the fisheries in the Alaska Region for reasons described in more detail in the response to Questions #1 and 2. The inability to collect vessel location through VMS would reduce NMFS's ability to monitor and enforce complex, overlapping, and numerous closure areas, area-specific allocations to individuals and entities, and other regulatory limitations.

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

No special circumstances exist.

**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.**

NMFS Alaska Region published a proposed rule (RIN 0648-BI65) in the *Federal Register* on October 3, 2019 (84 FR 52852). The comment period ended on November 4, 2019. No comments were received on the information collection requirements in this request.

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

No payment or gift to respondents is provided under this program.

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

All VMS units include systems to minimize the risk of direct or inadvertent disclosure of vessel position. The information collected, including VMS transmissions, is confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1881a *et seq.*), and also under NOAA Administrative Order (NAO) 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

All information collected is part of a Privacy Act system of records: [COMMERCE/NOAA #6: Fishermen's Statistical Data](#).

**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.**



This information collection does not involve information of a sensitive nature.

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

Information Collection	Type of Respondent (e.g., Profession)	# of Respondents	Annual # of Responses / Respondent	Total # of Annual Responses	Burden Hrs / Response	Total Annual Burden Hrs	Hourly Wage Rate (for Type of Respondent)	Total Annual Wage Burden Costs
VMS installation of new or replacement units	Vessel Owner	33 annualized (100/3)	1	<sup>1/</sup> 33	6 hrs	200 hrs annualized (600/3)	<sup>1/</sup>	<sup>1/</sup>
VMS maintenance	Vessel Owner	550	1	<sup>1/</sup> 550	4 hrs	2,220 hrs	<sup>1/</sup>	<sup>1/</sup>
VMS failure troubleshooting (assume 5% failure rate/year)	Vessel Owner	28 (550*0.05)	1	<sup>1/</sup> 28	2 hrs	56 hrs	<sup>1/</sup>	<sup>1/</sup>
<b>Totals</b>		<b>550</b>		<b>611<sup>1/</sup></b>		<b>2,476</b>		<b>\$0<sup>1/</sup></b>

<sup>1/</sup> The vessel owner is present during installation, maintenance, and troubleshooting operations, so there are burden hours associated with being required to be present for these activities. However, the vessel owner pays a technician an average of \$128/hour to perform this work, so the labor costs associated with these activities are recorded below under miscellaneous costs. Because there is no information collected by NMFS in advance, during, or after the installation, maintenance, or troubleshooting of the VMS units, these events do not contribute to the number of responses for this information collection.

Total estimated unique respondents are 550, which does not change as a result of the action to allow the retention of halibut in pot gear in the BSAI. Although, some additional vessels may install VMS, NMFS estimates that these few additional vessels are covered in the conservative estimates of respondents already included in this collection.

Removing the VMS check in report, GOA sablefish longline pot gear call in, and optional Area 4 halibut check in does not change the number of respondents for the collection as a whole because the respondents to these requirements are included in the total number of unique vessels that carry VMS units (550).

VMS transmissions are not considered responses or included in the burden estimates because vessel position location is automatically transmitted from the VMS unit.

**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).**

Table 13a. Summary of estimates of total annual cost burden to respondents, including capital and start-up costs and operations and maintenance costs, including the costs to hire technicians to do VMS installation, maintenance, and troubleshooting.

Information Collection	# of Respondents	Annual # of Responses / Respondent	Total # of Annual Responses	Cost Burden / Respondent	Total Annual Cost Burden
VMS purchase of new or replacement units	33 annualized (100/3)	1	33	\$3,100 per replacement unit	\$102,300
VMS daily transmission costs	550	<sup>1/</sup>	<sup>1/</sup> 550	\$720 <sup>2/</sup>	\$396,000 <sup>2/</sup>
VMS installation, maintenance, and troubleshooting	611	1	611	\$2,456hrs * \$128/hr (Table 13b below)	\$314,368
<b>TOTALS</b>			<b>611</b>		<b>\$812,668</b>

<sup>1/</sup> The automatic transmission of vessel location data from the VMS unit is not considered a response under the PRA because the information is sent automatically from the unit with no need for any action by the vessel operator or crew.

<sup>2/</sup> See explanation under heading “Response to Question 13 (continued).”

Table 13b. Explanation for calculation of miscellaneous costs to hire a technician to perform installation of new or replacement VMS units and maintenance and troubleshooting on all VMS units.

Information Collection	Number of respondents	Number of responses per entity per year	Total annual responses	Estimated time per response	Total annual hours	\$/hr labor cost	Total labor cost
VMS installation of new or replacement units	33 annualized (100/3)	1	33 annualized (100/3)	6 hrs	200 hrs annualized (600/3)	\$128 <sup>1/</sup>	\$25,600
VMS maintenance	550	1	550	4 hrs	2,200 hrs	\$128 <sup>1/</sup>	\$281,600
VMS failure troubleshooting (assume 5% failure rate/year)	28 (550*0.05)	1	28	2 hrs	56 hrs	\$128 <sup>1/</sup>	\$7,168
<b>Total</b>		-	<b>611</b>	-	<b>2,456 hrs</b>		<b>\$314,368</b>

<sup>1/</sup> See explanation under heading "Response to Question 13 (continued)."

### **Response to Question 13 (continued).**

As noted above, NMFS estimates that approximately 550 vessels are carrying operating VMS units in the groundfish, crab, and scallop fisheries off Alaska. Depending on which brand of VMS is chosen, NMFS estimates the price of a VMS unit ranges from about \$2,500 to \$3,200. All 550 of the currently operating VMS units have already been purchased. NMFS does not anticipate that any vessels without an operating VMS unit will be required to install a new VMS until for the first time in the next three years. Although this action (Amendment 118) requires the use of VMS for any vessel using pot gear to retain halibut in the BSAI, the few vessels that are expected to undertake this newly authorized activity likely already are required to have VMS under other regulations. Therefore, no new VMS installations are expected under Amendment 118.

In 2006, NOAA established a VMS Reimbursement Program to offset the cost of purchasing a new VMS unit for the purpose of complying with fishery regulations pursuant to the Magnuson-Stevens Act (see <http://www.psmfc.org/program/vessel-monitoring-system-reimbursement-program-vms>). The Pacific States Marine Fisheries Commission in collaboration with NMFS OLE distributes the allocated reimbursement funds to eligible, confirmed vessel owners and operators. The reimbursement program is for eligible vessels that have not had a VMS unit installed before and reimburses the cost of the base unit of the first VMS unit up to \$3,100. Many of these reimbursements were made because of requirements to upgrade or replace outdated VMS units.

VMS units periodically wear out or break down and must be replaced, and some vessel operators voluntarily upgrade their VMS units. NMFS estimates that 100 units will be replaced over the course of the 3-year cycle of this information collection, or an annualized rate of 33 VMS replacements per year (100/3). These replacement units are not likely to be eligible for reimbursement due to the “one time” provisions of the reimbursement program. Each of these 33 replacement units are estimated to cost \$3,100 per unit for a total annual cost of \$102,300. NMFS selected \$3,100 as a cost estimate for the replacement units because it is the maximum allowed for new unit reimbursement and probably represents a good average cost of a new or replacement unit.

Depending on which brand of VMS is chosen, the average monthly cost of a VMS service provider agreement is approximately \$60 for transmission two times per hour and approximately \$190 for transmission ten times per hour (trawling in the Aleutian Islands). NMFS is unable to breakdown the total estimate of 7,784,098 VMS transmissions per year between three categories of transmission rates (ten times per hour, two times per hour, and one time per hour when a vessel is in port). Therefore, for purposes of estimating the average cost of VMS transmissions per vessel and overall, NMFS assumes that each vessel required to use VMS pays for a 12-month service provider agreement at the \$60/month rate. The majority of the vessels will be fishing in areas and fisheries that require transmission of location information two times per hour; however, the assumption that each vessel will be paying for VMS transmission the full 12-months of the year is conservative, so balances out the fact that some of the vessels will be paying a higher monthly charge for more frequent transmissions.

Based on these assumptions:

The cost for VMS transmission for a single vessel is \$720 (12 months \* \$60/month).

The cost for VMS transmission for all vessels is \$396,000 (550 vessels \* \$720/hour).

The hourly charges for installation, maintenance, and troubleshooting by a qualified marine electronics technician vary by location. Based on responses to informal interviews, Seattle rates are approximately \$115 per hour; Kodiak rates are approximately \$135 per hour; and Dutch Harbor rates are approximately \$142 per hour. Thus, the average of the high and low rates, \$128 per hour, has been used to estimate this burden.

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

Alaska Region VMS data are monitored and interpreted by NMFS OLE. Currently, no officers are directly dedicated to VMS; however, a program manager and an enforcement technician work on VMS.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	ZA-4	\$244,860	2%		\$4,897
	ZS-V	109,440	10%		\$10,944
Contractor Cost		-	-	-	\$0
Travel					\$0
Other Costs					\$0
<b>TOTAL</b>					\$15,841

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

The following table show the changes in the number of respondents, responses, time estimates, labor costs, and miscellaneous costs; and explains the reasons for these changes.

	Respondents		Responses		Burden Hours		Labor Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	Current	Previous	Current	Previous	
VMS installation of replacement units	33	33	33 <sup>2/</sup>	33	200 (600/3)	200 (600/3)	<sup>3/</sup>	<sup>3/</sup>	Adjustment to correct calculation of installation replacement units based on the annualized estimate of 33, rather than assuming replacement of 100 units per year, and <sup>2/</sup>
VMS maintenance	550	1,139	550 <sup>2/</sup>	1,139	2,220	4,556	<sup>3/</sup>	<sup>3/</sup>	Adjustment to reflect the reduced estimate of total VMS units from 1,139 to 550, and <sup>2/</sup>
VMS failure troubleshooting (assume 5% failure rate/yr)	28 (550*.05)	57 (1,139*.05)	28 <sup>2/</sup>	57	56	285	<sup>3/</sup>	<sup>3/</sup>	Adjustment to reflect the reduced estimate of total VMS units from 1,139 to 550, and <sup>2/</sup>
VMS check-in report	n/a	100	n/a	100	n/a	20	n/a	\$740	Program change – removed from the collection
GOA sablefish longline pot gear call in	n/a	20	n/a	20	n/a	4	n/a	\$148	Program change – removed from the collection
Optional Area 4 halibut check in	n/a	180	n/a	180	n/a	36	n/a	\$1,332	Adjustment to reflect that the estimates of costs for this component should not have been included in the supporting statement.
<b>Total for Collection</b>	<b>550<sup>1/</sup></b>	<b>1,139<sup>1/</sup></b>	<b>611</b>	<b>1,529</b>	<b>2,476</b>	<b>5,101</b>	<b>\$0</b>	<b>\$2,220</b>	

<sup>1/</sup> Number of unique respondents for the entire collection.

<sup>2/</sup> The adjustments also reflect that the vessel owner’s presence during VMS installation, maintenance, or troubleshooting does not constitute a “response” for purposes of this information collection.

<sup>3/</sup> Labor costs for the vessel owners to hire a technician to install and maintain the VMS units is included below in “Operations and Maintenance Costs.” The hours associated with the work of these technicians is not considered “burden hours.”

	Capital/Startup Costs		Operations and Maintenance Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
VMS installation of replacement units	\$102,300	\$310,000	\$25,600 <sup>1</sup>	\$25,600 <sup>1/</sup>	Adjustment to correct calculation of installation replacement units based on the annualized estimate of 33, rather than assuming replacement of 100 units per year.
VMS maintenance	\$0	\$0	\$281,600 <sup>1/</sup>	\$583,168 <sup>1/</sup>	Adjustment to reflect the reduced estimate of total VMS units from 1,139 to 550.
VMS failure troubleshooting	\$0	\$0	\$7,168 <sup>1/</sup>	\$36,480 <sup>1/</sup>	Adjustment to reflect the reduced estimate of total VMS units from 1,139 to 550.
VMS communications	\$0	\$0	\$396,000	\$1,441,720	Adjustment to reflect the reduced estimate of total VMS units from 1,139 to 550, and simplified approach to estimating the number of months of transmission for each vessel.
VMS check-in report	n/a	\$0	n/a	\$600	Program change – removed from collection.
GOA sablefish longline pot gear call in	n/a	\$0	n/a	\$120	Program change – removed from collection.
Optional Area 4 halibut check in	n/a	\$0	n/a	\$1,080	Adjustment to reflect that the estimates of costs for this component should not have been included in the supporting statement.
<b>Total for Collection</b>	<b>\$102,300</b>	<b>\$310,000</b>	<b>\$710,368</b>	<b>\$2,088,768</b>	

<sup>1/</sup> Labor costs to hire a technician to perform VMS installations, maintenance, and troubleshooting at \$128/hour.



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

NMFS has no plans to publish the results of this information collection.

**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.**

The expiration date will be displayed on this information collection.

**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.