

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Southeast Region Dealer and Interview Family of Forms
OMB Control No. 0648-0013

Introduction

This request is for a revision and extension of the existing reporting requirements that are currently approved under OMB Control No. 0648-0013, Southeast Region Dealer Family of Forms, which addresses eight fishery management plans (FMPs) in the Gulf of Mexico, South Atlantic regions, and now includes the U.S. Caribbean. This family of forms includes the various reporting instruments and procedures that the Southeast Fisheries Science Center (SEFSC) uses to collect landings statistics and quota monitoring data from commercial seafood dealers and interviews with fishermen for effort and fishing locations data.

Fishery statistics are collected by the National Marine Fisheries Service (NMFS) for a variety of reasons under several Federal statutes. The overall purposes for the data collection activities under this family have not changed significantly since the approval of this family of forms in 1995. It includes the same three methodologies that were included in the previous submissions. These methods include: (1) landings statistics, (2) mandatory dealer reporting for monitoring Federal fishery annual catch limits (ACLs), and (3) bio-profile data from the Trip Interview Program (TIP). The SEFSC employs several methods to collect the variety of data included in the information collection. The following is a brief description of these procedures.

For the general canvass statistics, the SEFSC does not collect these data directly from the seafood dealers. The state fishery agencies in each of the states in the southeast region collect landings statistics under their individual state authority. The state agencies share these data with the SEFSC as part of formal cooperative agreements between the SEFSC and the states. These cooperative arrangements serve to both reduce the overall cost of data collection and avoid the possibility of duplicate effort.

Because more detailed information is required for the shrimp landings statistics than some states provide in the general canvass data, SEFSC employees collect these data directly from seafood dealers. The data that the SEFSC personnel collect are available from the sales receipts that are maintained by the dealers as part of the routine accounting practices that are part of their normal business operations. The dealers are not asked nor required to keep any extra records, other than the sales receipts, which are used by the SEFSC personnel to record the shrimp landings statistics. Consequently, this data collection activity does not impose any reporting burden on the dealers.

To collect the data required to monitor the federal fisheries ACLs for the coastal fisheries, the SEFSC has entered formal cooperative agreements with the states which has reduced the public burden. Starting in 2012, 7 of the 8 states changed state regulations to allow dealers to use an

electronic trip ticket system. Minimum burden will be required of dealers in these 7 states to transmit this data to the SEFSC every week. In South Carolina, dealers still use a paper trip ticket system for state reporting obligations. Burden will be required of SC dealers to use the electronic system and transmit ACL data to the SEFSC every week.

Two fisheries are still using simple, easy to use forms developed by the SEFSC: mackerel gillnet dealers on the Florida gulf coast and south Atlantic wreckfish dealers report summarized landing statistics to the SEFSC for ACL monitoring on these forms.

A. JUSTIFICATION

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

The data collected under the various programs included in OMB Control No.0648-0013 support a wide variety of analytical and management functions performed by the NMFS. These data are collected to support the stewardship role delegated to the NMFS under various Federal regulations.

The collection of this information is authorized by the [Fish and Wildlife Act](#) (FWA), modified by the [Reorganization Plan No. 4 of 1970](#), and enhanced by the [Magnuson-Stevens Act](#), originally passed as the Magnuson Fishery Conservation and Management Act of 1976. The U.S. Congress later passed two major sets of amendments to the law, first with the [Sustainable Fisheries Act of 1996](#) and then 10 years later with the [Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006](#). The Secretary of Commerce (Secretary) has undertaken a set of objectives for the conservation and management of marine fishery resources. The Magnuson-Stevens Act requires that conservation and management measures in fishery management plans (FMP) must prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery. Such management measures must be based on the best available scientific information. The use of dealer reporting of landings purchased throughout the various regiments of the fishery is an essential ingredient in the management of fishery resources. Section 303 (a)(5) of the Magnuson-Stevens Act specifically identifies the kinds of data to be collected in support of FMPs.

Specific regulations that authorize the collection of data in this family of forms: [50 CFR Part 622](#), Fisheries of the Caribbean, 622.2, Definitions, 622.5, Recordkeeping and reporting-general, and the fishery specific recordkeeping and reporting regulations in 622.26 (Gulf reef fish), 622.91 (Gulf red drum), 622.176 (South Atlantic wreckfish), 622.203 (South Atlantic rock shrimp), 622.242 (South Atlantic golden crab), 622.271 (Atlantic dolphin and wahoo), 622.374 (Gulf and South Atlantic coastal migratory pelagic fish), and 622.401 (Gulf and South Atlantic spiny lobster).

The mandatory dealer reporting is necessary to provide the NMFS with timely information to monitor the fishery annual catch limits (ACLs) established in the respective fishery management plans. The science and research director at the SEFSC selects every federally permitted dealer for mandatory ACL reporting. Without the direct reporting by the dealers, NMFS managers would not be able to determine when the ACLs are reached and the fisheries need to be closed.

The bio-profile data (also referred to as the trip interview data) in the Gulf of Mexico and South Atlantic are necessary to collect length composition information and age and reproductive samples which are essential to understanding the age composition and reproductive status (mature, immature, etc.) of the fish caught to develop length-to-age conversion tables (age-length keys). These size, age, and reproductive data are used to estimate the reproductive potential of each species. The relationships between the amount of fish removed from a population and the recruitment potential (possible amount of offspring produced for each size class) are essential parts of the scientific stock assessments prepared by NMFS scientists. In the U.S. Caribbean, trip interviews are necessary to count the number of fish caught and sold by fisherman because in that region fish are sold directly to consumers at markets and do not go through wholesale dealers.

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

The information provided by the data collection activities in OMB Control No. 0648-0013 is used by several offices of NMFS, Fishery Management Council staffs, the U.S. Coast Guard (USCG), the Army Corps of Engineers, and state fishery agencies to develop, implement, and monitor fishery management regimes. NMFS, Fishery Management Councils, the Departments of State and Commerce, OMB, the fishing industry, congressional staff, and the public use summarizations and analyses of dealer data to answer questions about the nature of fisheries resources.

The primary use of these data, however, is to support the management of the fisheries resources under Federal jurisdiction. The landings data are used to determine the overall magnitude and trends in the fisheries. The trip interview programs provide important data for stock assessments that directly support NMFS' stewardship responsibilities. There are two parts to bio profile data collection activities. Port agents select fishing trips and interview the captain or crew to collect information on the fishing trip, (i.e., specific locations where the fishing occurred, the type and quantities of gear, and the amount of time that the various types of gear were fished). The second part of the bio profile data collection activity does not involve any interaction with the fishermen. For this part, port agents are granted permission from the fishermen to measure and weigh individual fish and collect hard-part and tissue samples either directly from the boats when the catch is being unloaded or from storage vats after the unloading has been completed. This size frequency and age data are used directly by stock assessment biologists to perform virtual population analyses for stock assessments. To assure that fishermen cooperate, Federal regulation require that fishermen make their fish available to authorized Federal port agents and provide the gear, area, and effort information needed in conjunction with the size and weight data.

The SEFSC routinely performs six to ten stock assessments per year (note, an assessment is not necessarily needed for each species every year; consequently, some assessments are performed every 3 to 5 years).

The SEFSC also conducts an annual vessel inventory that is used to provide a count of the

vessels (greater than 5 net tons) that are actively fishing in the southeast region. The data for this inventory is extracted from trip ticket data for the states. No additional public burden is required.

Another major data collection activity in OMB Control No. 0648-0013 is mandatory dealer reporting that is used for in-season monitoring of the quotas that are promulgated under various Federal fishery management plans and amendments to those plans. The frequency of reporting is established in accordance with the nature of the respective fishery. The Generic Dealer Reporting Amendment and rulemaking (RIN 0648-BC12) requires weekly reporting for all species, except for Gulf king mackerel harvested by gillnet which will require daily reporting (see explanation below). The following is a summary of the reporting frequencies and data collecting methods for the quota monitoring programs in OMB Control No. 0648-0013.

Coastal Fisheries Dealers Reporting:

The coastal fisheries quota monitoring system includes fisheries managed under the Gulf of Mexico Reef Fish Fishery Management plan and the fisheries managed under the South Atlantic Fishery Management plan. Data sufficient to monitor all the coastal fishery quotas are collected electronically by the states using the state run electronic trip ticket systems. Dealers with federal permits are required to transmit data to their state every week. The following information is required in the electronic reporting system form:

1. Dealer information (including dealer name, dealer contact information, and dealer permit numbers);
2. Report information (including date and time information is submitted);
3. Trip specific Info (including state landed, and date landed);
4. Species specific Info (species purchased, quantity purchased, gear types used, and areas fished);
5. Negative reports (including the date and time submitted).

Mackerel Dealers Reporting (gillnet):

Because of the efficiency of gillnets to catch fish, the quota for this fishery can be reached very quickly. Under the new rule, those dealers and vessels that are selected to submit these two forms will be required to do so daily. Normally, the quota for this fishery is reached within a few days.

Wreckfish Dealer Reporting:

Under the rule, dealers that purchase wreckfish are required to report the total weight of these species purchased weekly.

Summaries of the ACL monitoring data will be made available to the general public to inform them of the ongoing status of the ACL so fishermen can make the appropriate business decisions regarding future fishing activities.

NMFS/SEFSC 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 the response to Question 10 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.

Currently dealers in all states except South Carolina in the southeast region are reporting electronically using state-approved electronic trip ticket reporting systems and the data are provided to the SEFSC by the states through formal cooperative agreements. The weights from the electronically submitted trip tickets are summarized for the dealers for each of the ACL monitored species by the state run systems so dealers no longer need to tally weights from monitored species; hence, the dealers are no longer required to submit separate paper ACL monitoring reports to the science center as they were in the past. By transmitting electronic trip ticket data to the states, they are submitting ACL data to the science center.

4. Describe efforts to identify duplication.

A requirement of the Magnuson Act Operational Guidelines is for each Fishery Management Council to evaluate existing state and federal laws governing the fisheries in question, and such findings are included in each Fishery Management Plan (FMP). Membership on each Fishery Management Council is composed of state and federal officials responsible for resource management in their respective states. These two circumstances identify other data collection activities that may be gathering the same or similar information. In addition, each FMP undergoes an extensive public comment period where potential applicants review the proposed rulemaking.

The NMFS has established cooperative statistics programs with the 8 coastal states in the southeast region of the United States (U.S). The State/Federal Cooperative Statistics Program is comprehensive both geographically within the southeast region and with respect to the data that are collected. The federal and state reporting requirements are coordinated through the Cooperative Agreement. In addition, the location and responsibilities of the port agents are coordinated to avoid any duplication of effort and contact with fishermen at the docks. As a result of both the Fishery Management Council process and the Cooperative Statistics Agreements, the NMFS/SEFSC is confident that it is aware of all similar data collection activities and that all duplications that can be avoided are avoided.

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

Because almost all dealers and fishermen are considered small businesses, separate requirements based on the size of the business have not been developed. Only the minimum data to meet reporting objectives are required from the respondents. The dealers are not required, nor asked, to maintain any records other than the sales receipts that records the transactions between the

dealer (purchaser) and the fisherman (seller) which is accomplished through the state-run electronic trip ticket systems. Most of the data provided under OMB Control No. 0648-0013 are summaries compiled from existing accounting information maintained by seafood dealers and processors in the normal course of their business operations. Thus, there is no additional recordkeeping burden on dealers due to the reporting requirements covered in this PRA request.

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

It is essential that these collection activities are continued. They provide the data necessary for future stock assessments and the means of monitoring the fishery ACLs that are currently promulgated to control fishing effort. Thus, if these collection activities were not available, the NMFS could not perform the stock assessments for the conservation and management of our fishery resources. Furthermore, without the mandatory dealer reporting, the SEFSC could not effectively monitor the ACLs implemented by existing fishery management plans and therefore, reduce fishing mortality. With respect to frequency, the collection of fish size frequency data must be an ongoing process. The dynamics of fishery biology, such as semi-annual spawning, seasonal migratory changes, and growth and mortality rates, require a collection frequency that can detect these changes over time. In addition, weekly or daily reporting frequencies, rather than monthly or bi-monthly submissions, must be used to monitor in-season ACL management.

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

Reporting more frequently than quarterly/responding to requests for information in less than 30 days is necessary, as stated in Question 6 above (final sentence).

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 published on October 9, 2019 (84 FR 54124) solicited public comment on this collection. No comments were received.

NMFS is part of a cooperative program to collect fishery statistics. SEFSC personnel meet with state, territorial, and regional coordinators of fisheries statistics collection programs at least once each year to discuss, coordinate and improve data collections. Statistical data collection and biological sampling targets along the Atlantic Coast (Florida through North Carolina) are coordinated through the Atlantic Coastal Cooperative Statistics Program (ACCSP). Statistical data collection and biological sampling targets along the Gulf of Mexico coast are coordinated through the Gulf States Marine Fisheries Commission (GSMFC). Additionally the SEFSC is working closely with the U.S. Virgin Islands Department of Fish and Wildlife and the Puerto

Rico Department of Natural and Environmental Resources to develop a long-term plan to improve the quantity of samples collected and the representativeness of collection activities in the Caribbean.

NMFS directly asked and received comments from our partners at the South Atlantic, Gulf of Mexico fisheries management councils, U.S. Virgin Islands Department of Fish and Wildlife and the Puerto Rico Department of Natural and Environmental Resources.

Contestants from the South Atlantic and Gulf of Mexico fisheries stated *“Information submitted by dealers is necessary to provide NMFS with timely data to accurately track fishery quotas set in the associated fishery management plans”*. To address these views on timeliness and accuracy, NMFS will be monitoring the submission of the electronic reports and working with industry to encourage accurate and timely reporting. Procedures include working on data coding consistencies with our state partners, public outreach about electronic reporting, notifying dealers when reports were expected but not received, and quality control checks on the data received. Additionally, NMFS is working with the developer of the electronic trip ticket program to ensure better data entry constraints on future software versions thus reducing problems with unidentified species, gears, and areas. NMFS feels these steps will increase reporting accuracy and timeliness and hopes that success demonstrated with dealer reporting will pave the way for electronic reporting of other data collection program.

In the U.S. Caribbean, participants commented less fishing is happening around the islands and NMFS was overestimating the number of fishing trips. Concerns with the implementation of the Trip Interview Program include the number of fishers to be impacted by the interviews, the estimate number of annual interviews, and the amount of time to conduct each interview. Because of severe storms in the area of this program, NMFS estimates represent the maximum amount of burden that can be expected. The estimates are based on the number of permit holders and the number of interviews a port agent likely would conduct daily. The estimates do not account for periods of reduced fishing activity due to weather conditions or decisions by fishers to fish. NMFS feels that burden estimates in the U.S. Caribbean Trip interview program will likely be more accurate over time.

Fishers in the U.S. Caribbean stated: *“Many of the fishermen are really interested in what the port samplers are doing. They have stated it saves them time and gives accurate information. Many of them are tired when they come in and just give an estimation for the weight and count of their catch ”*. NMFS interpret this to mean that the fishers have only estimates of their catch and welcome the more accurate counts and weights the port samplers are able to provide to those fishers.

One local landing site owner in the US Caribbean suggested: *“that port samplers put a sampling table onsite for sorting the catches (i.e., site owner provided a suggestion to improve sampling efficiency and offered space for a sampling station)”*. NMFS supports the port samplers working with the constituents to conduct the interviews by appropriate means for the area.

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, all data collected under this family of forms are handled in accordance with [NOAA Administrative Order 216-100](#), Confidential Fisheries Statistics. Dealer reports are also considered confidential under the Trade Secrets Act.

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.

Coastal Fisheries Dealer Reporting:

The total burden on coastal fisheries dealers is estimated to be 1,329 hours; a total of 70,291 responses from 463 dealers is estimated.

In South Carolina an estimated 1,053 reports will be collected from the 25 dealers that have federal permits. It takes less than 10 minutes to log on the system and enter sales receipts. Thus, the total burden is 1,053 x 10 minutes/60 minutes/schedule = 175 hrs.

In states other than South Carolina an estimated 69,238 reports will be collected from the 438 dealers that have federal permits. It takes less than 1 minute to conduct data transmissions. Thus, the total estimated burden is 69,238 x 1 minutes/60 minutes/schedule = 1,154 hrs.

$$1,053 + 69,238 = 70,291 \text{ responses}$$

$$175 + 1,154 = 1,329 \text{ hrs}$$

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
Shrimp Interviews	Data Entry and Information Processing Workers	2,700	1.58222	4,272	10min	712	16.24	11,563
Vessel Trip Interviews	fisherman	2,000	2.6045	5,209	10min	868	22.57	19,591
USVI Trip Interviews	fisherman	1,000	11.18	11,180	10min	1,863	22.57	42,048
Coastal Fisheries Dealer Reporting	Data Entry and Information Processing Workers	463	151.8164	70,291	1,053 x 10 min 69,328 x 1 min	1,329	16.24	21,583
Wreckfish Dealer Reporting Form	Data Entry and Information Processing Workers	20	7.05	141	13min	31	16.24	162

King Mackerel Gillnet Dealer Reporting Form	Data Entry and Information Processing Workers	5	2.8	14	10min	2	16.24	33
Totals		6,188		91,107		4,805		\$94,980

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.

There is no cost to respondents for this collection. Dealer reports are submitted electronically, and other information is collected in person.

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

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	9/1 - 11/10	5 @ \$88,000 average	100		\$440,000
	7/1 - 9/10	20 @ \$66,237 average	100		\$1,324,750
Contractor Cost		(3) @ \$50,000 average	100		\$150,000
Travel					
Other Costs					\$3,000
TOTAL					\$1,917,750

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

The number of annual burden hours is mainly driven by the number of fishing trips made by the fishermen each year. Seasonal differences are always noticed because many factors such as weather, fuel cost, dock side fish prices, fish migration patterns, the number of fishermen with active permits, and seasonal closures can influence how many fishing trip take place annually. Averages have been used to determine annual estimates where appropriate.

Information Collection	Respondents		Responses		Burden Hours		Reason for change or adjustment
	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	
Shrimp Interviews	2,700	2,198	4,272	2,600	712	1,183	Gulf shrimp dealer reporting has been combined with shrimp interviews because no burden is placed on the gulf shrimp dealers. IC renamed from Gulf Shrimp Dealer Reporting.

Vessel Trip Interviews	2,000	2,898	5,209		868		These two collections were combined as one in ROCIS; they are being split in ROCIS to match the Supporting Statement. Previous IC name was Trip Interview Program now Including Caribbean.
USVI Trip Interviews	1,000	1,351	11,180	4,500 11,180 (15,680 total)	1,863	750 1,863 (2,613 total)	
Coastal Fisheries Dealer Reporting	463	1,056	70,291	53,662	1,329	1,928	Coastal fisheries dealer reporting now includes Dealer reporting for gulf reef fish, South Atlantic snapper-grouper, mackerel, golden crab, coral and rock shrimp. Reporting has been simplified under a single web application used by all the state partners limiting the need for reserves. IC renamed from Quota Managed Fisheries: Coastal Fisheries, Wreckfish, and Mackerel Reporting.
Wreckfish Dealer Reporting Form	20	40	141	0	31	0	These two collections were combined with Coastal Fisheries in ROCIS but are now broken out to match the Supporting Statement.
King Mackerel Gillnet Dealer Reporting Form	5	108	14	0	2	0	
South Atlantic snapper-grouper, rock shrimp, golden crab, and dolphin/wahoo Dealer Reporting; and Gulf and South Atlantic coastal migratory pelagics and spiny lobster Dealer Reporting	0		0	120	0	30	Collection removed as it is now included in the Coastal Fisheries Dealer Reporting.
Vessel Operational Unit Inventory	0		0	100	0	8	Collection removed as it is now included in the Coastal Fisheries Dealer Reporting.
Coral Dealer Reporting	0		0	64	0	16	Collection removed as it is now included in the Coastal Fisheries Dealer Reporting.
Total for Collection	6,188	7,651	91,107	72,226	4,805	5,028	
Difference	-1,463		18,881		-223		

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

Results from the data collection using the forms in this information collection are not planned for publication.

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.

All forms will contain the OMB Control Number and expiration date.

18. Explain each exception to the certification statement.

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