

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Pacific Islands Logbook Family of Forms
OMB Control No. 0648-0214

INTRODUCTION

This Supporting Statement describes minor revisions to the previously approved information collection under OMB Control No. 0648-0214 pursuant to final rule 0648-BJ23.

A. JUSTIFICATION

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

The participation of the United States in tuna-Regional Fisheries Management Organizations (RFMOs), such as the Inter-American Tropical Tuna Commission (IATTC) and the Western and Central Pacific Fisheries Commission (WCPFC), results in record keeping and reporting requirements for U.S. vessel owners and operators under Federal regulations ([50 CFR Part 300 Subpart C and Subpart O, respectively](#)). Logbook requirements for longline vessels fishing for tuna in the eastern Pacific Ocean (EPO) are satisfied through domestic regulations at 50 CFR 660.708. Reporting requirements for vessel owners or operators in situations involving observer safety would be required at [50 CFR Part 300 Subpart C \(RIN: 0648-BJ23\) and Subpart O](#).

The Magnuson-Stevens Fishery Conservation and Management Act established the Western Pacific Fishery Management Council (Council), to develop fishery ecosystem plans (FEPs) for fisheries in the United States (U.S.) exclusive economic zone (EEZ) in the central and western Pacific. These plans, if approved by the Secretary of Commerce, are implemented in Federal regulations by National Marine Fisheries Service (NMFS) and enforced by the National Oceanic and Atmospheric Administration Office for Law Enforcement (OLE) and U.S. Coast Guard (USCG), in cooperation with state and territorial agencies. FEPs authorize regulations to prevent overfishing and to ensure the long-term productivity and social and economic benefit of the resources for the U.S. Regulations implementing these plans are at [50 C.F.R. 665](#).

NMFS has jurisdiction over fisheries in Federal waters of the Pacific Ocean seaward of American Samoa, Guam, Hawaii, the Northern Mariana Islands (NMI), and the Pacific Remote Island Areas (PRIA)¹. The Council recommends, and the Secretary approves and implements through regulations, FEPs for the American Samoa, Hawaii, and Mariana (Guam and NMI) archipelagos, PRIA, and pelagic fisheries in the western Pacific. Each of these FEPs requires that fishery participants submit Federal logbooks for federally managed fisheries in their area.

The reporting requirements are crucial to ensure that NMFS will be able to monitor the fisheries and have fishery-dependent information to evaluate the effectiveness of management measures, determine whether changes in fishery management programs are necessary, ensure compliance

¹Howland, Baker, Jarvis, Wake and Palmyra Islands, Johnston Atoll, Midway Atoll, and Kingman Reef.

with regulations, and estimate the impacts and implications of alternative management measures. This submission addresses information needed on actual fishing activities to determine how different participants might be affected, and how stocks and other living marine resources might be affected, by changes in regulations governing the fisheries.

Specific reporting requirements for the individual fisheries identified with the relevant section of 50 CFR Part 665 are as follows:

Pelagic (Longline only)	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§660.708 and §665.14(b)) - Dealer records (no form) (§665.14(g)) - Pre-trip notification (no form) (§665.803(a)) - Protected species zone entry/exit notification (no form) (§665.803(d)) - Claim for reimbursement for lost fishing time (no form) (§665.808(i))
Pelagic (PRIA troll and handline)	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§665.14(b)) (PRIA = Pacific Remote Island Areas)
Pelagic Squid Jig	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§665.14(b)) - Pre-trip notification (no form) (§665.803(b))
Crustaceans (lobster and deepwater shrimp)	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§665.14(b)) - Sales report (§665.14(d)) - Dealer packing/weigh-out slips; records (no form) (§665.14(e); §665.14(g)) - Pre-landing notice (no form) (§665.144(a)(1); §665.244(a)(1); §665.444(a)(1); §665.644(a)(1)) - Pre-offloading notice (no form) (§665.144(a)(2); §665.244(a)(2); §665.444(a)(2); §665.644(a)(2)) - At-sea catch report (no form) (§665.252(c))
Bottomfish	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§665.14(b)) - Sales report (§665.14(d)) - Dealer records (no form) (§665.14(g)) - Observer placement meeting (no form) (§665.207(b))
Precious Corals	<ul style="list-style-type: none"> - Logbooks: catch and effort data (§665.14(b)) - Sales report (in logbook) (§665.14(b))
Experimental Fishing Permits	<ul style="list-style-type: none"> - Experimental fishing reports (no form) (§665.17(e)(4)(vi))

Logbooks (pelagic longline) in the eastern Pacific Ocean and logbooks (bottomfish, crustacean, pelagic longline, pelagic troll and handline, pelagic squid jig, and precious corals) in the Pacific Islands Region are required to obtain catch and effort information. These data are especially needed for determining the condition of the stocks. Drastic changes in catch per unit effort (CPUE) are often indicative of significant shifts in the size and structure of the stock and suggest that changes in management measures may be appropriate to respond to declines or increases in stock sizes.

Sales reports (bottomfish, crustacean, precious corals) are used to ensure full reporting of all landings and sales of fish from the management unit. The sales report portion of the precious

corals logbook provides the basis of understanding the economic value associated with the fishery, which is needed to evaluate the magnitude and distribution of impacts from changes in management regulations.

Reports on protected species interactions (all logbooks) are required to ensure adequate information on the extent to which there are any direct impacts of the fishery on the protected species.

The requirement to report lobster traps left at sea is intended to monitor the impacts of and, when possible, to ensure quick removal of gear that could adversely impact protected species. Although there have been no reports of Hawaiian monk seals interacting with traps, there is still a potential for entanglement while seals are foraging for food.

Experimental fishing permits (EFPs) are available to all Pacific Islands Region fisheries to allow fishing using gear, techniques, or strategies that are otherwise prohibited under the respective fishery ecosystem plans. These permits may allow fishermen to experiment with new gear and techniques that might increase catch per unit effort and reduce the catch of incidental species. They also allow fishermen to engage in data collection activities during a closed season in support of NMFS fishery research and management programs or to achieve other desirable objectives. The EFPs require that there be reports of the results of fishing under the EFPs so that there will be a basis for determining whether to change the regulations to allow the new gear or techniques in the fishery. The reports are needed to establish whether the objectives of granting the EFP were achieved.

In rare situations, a longline or bottomfish vessel operator or owner may incur lost fishing time due to observer injury or illness. If so, the operator or owner may file a claim for compensation based on information about average catches per day at sea the previous two years and current fish prices. While no such claims are expected, the estimate of burdens includes the estimated paperwork associated with one claim per year as a worst case scenario.

In rare situations where an observer on a tuna fishing longline vessel dies or goes missing, has a serious illness or injury that threatens the life and/or long-term health or safety, or is being harassed, the owner or operator of a U.S. longline fishing vessel is required to immediately report to the observer provider and a U.S. government contact. NMFS will provide the phone numbers and email addresses for contacts in these events.

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

On a broad level, the reporting requirements provide the information needed by NMFS to regulate and monitor the fisheries managed under the EFPs and to evaluate the effectiveness of management by assessing the status of stocks and the status of the fisheries. The information provides a basis for determining whether changes in management are needed to sustain the productivity of the stocks or to address economic problems in the fishery. The information is also used to provide the basis for evaluating the magnitude and distribution of impacts resulting from changes to the regulations. Without the information, NMFS would be unable to determine

whether management is achieving the objectives of the FEPs and preventing overfishing, the principal requirement of the Magnuson-Stevens Act.

Information from mandated logbooks, sales reports and, if necessary, packing/weigh-out slips, is used to determine specific changes in fishery patterns, such as seasonal shifts and areas which are more important than others to the stocks or to the fishermen. Information from the logbooks, as well as ancillary dealer records, is used by enforcement agents of NMFS, state or territory, and USCG to monitor compliance with fishing regulations and reporting requirements. Information from pre-trip notifications is used by NMFS to determine whether to place observers on selected vessels to obtain detailed information on fishing practices (including interactions with protected species) and the characteristics of the catch.

Other users and uses of information under this collection include required documentation submitted by longline vessel operators or owners to receive compensation from NMFS for lost fishing time due to serious injury or illness of a NMFS observer and notification by lobster boats of traps being stored at sea due to emergency situation and allowing NMFS to monitor for potential adverse impacts to protected species and the ecosystem.

Reports provided by fishermen as required under an EFP allow NMFS to use and disseminate the results of prohibited fishing activities which, when conducted under the NMFS-specified controlled conditions, can yield much needed information on the resources and fisheries.

The owner or operator of a longline fishing vessel of the United States in the eastern Pacific Ocean is required to immediately report serious illness or injury that threatens the life and/or long-term health or safety the serious illness of an observer to the observer provider and a U.S. government contact. In addition, the owner or operator of a longline fishing vessel of the United States is required to immediately report an observer that has gone missing, an observer death or harassment of an observer to the IATTC observer provider. NMFS Western Coastal Region (WCR) will provide the phone number and email address for the owner or operator to contact in these events. The purpose of reporting this information is to respond to and keep track of situations that could be life threatening to an observer at sea and to comply with international obligations under the IATTC.

The owner or operator of a longline fishing vessel of the United States in the western and central Pacific Ocean is required to immediately report serious illness that threatens the health or safety of an observer to a U.S. government contact. In addition, the owner or operator of a longline fishing vessel of the United States in the western and central Pacific Ocean is required to immediately report harassment of an observer to the observer provider and a U.S. government contact. NMFS Pacific Islands Regional Office (PIRO) will provide contact information for the owner or operator to use in these events. The purpose of reporting this information is to respond to and keep track of situations that could be life threatening to an observer at sea and to comply with international obligations under the WCPFC.

Notifications related to observer safety are expected to be rare, and are estimated to occur a total of 11 times a year between the eastern and western and central Pacific Ocean.

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 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. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical, or general informational publications. Should NMFS decide to disseminate the information, it will be subject to the quality control measures and 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.

NMFS continues to investigate information technology advances that would simplify the collection and reduce the burden. However, none of the collection elements that comprise this overall proposal is especially difficult or burdensome. In the meantime, NMFS is refining electronic reporting in order to provide a strong basis for its adoption universally by all participants in the longline fisheries. Logbook data are currently entered daily on forms provided by NMFS to prevent data quality problems from faulty recall. Pre-trip notifications are easily made by telephone, as are pre-landing/off-loading notifications.

4. Describe efforts to identify duplication.

NMFS carefully considered whether there were collections by other Federal agencies or state or territorial agencies that might meet the information needs presented above. NMFS concluded that no other collections, besides the requested collecting information, would meet these reporting requirements.

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

All of the vessels in the federally-managed fisheries in the Pacific Islands Region are small business entities of similar sizes and are affected comparably. No special measures are needed to accommodate different sized businesses.

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

Without this collection or if it is conducted less frequently, NMFS would be unable to determine whether management is achieving the objectives of the FEPs and preventing overfishing, the principal requirement of the Magnuson-Stevens Act. NMFS and the Council will be unable to make management decisions effectively and in a timely manner. In turn, the long-term economic health of the fisheries may be compromised. In addition, the United States would not meet its international obligations as a member of the IATTC and WCPFC.

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

This collection is consistent with OMB guidelines, except that the frequency of the collections exceed the minimum quarterly reporting schedule and in most cases the collections require a response time of less than 30 days. The reporting frequency and response time for fishery-dependent data vary with specific reporting requirements. Daily logbooks were deemed most appropriate for detailed catch and effort data needed to assess the status of the stocks and the impacts of the fishery on the stocks, as well as the impact of regulations on the fisheries. EFP reports would be required at a frequency appropriate for managing compliance of the activity authorized with the terms and conditions of the EFP. Collecting data less frequently would diminish NMFS and the Council's ability to make timely management decisions.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. Describe 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 proposed rule covering the eastern Pacific Ocean published January 2020 (RIN 0648-BJ23) and a proposed rule covering the western and central Pacific Ocean (RIN 0648-BG66) is expected to publish in Spring 2020. Both proposed rules will solicit public comment on the proposed regulations.

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

No payments or gifts are involved in this collection.

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 402b 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 propriety information contained in the logbooks.

This information is covered by 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.

No questions of a sensitive nature are asked.

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

There are 687 estimated respondents in the collection, including duplicate respondents who have to provide multiple types of reports (estimated participants: 200 active longline, 10 PRIA troll and handline, 5 squid jig, 10 crustacean, 30 bottomfish, 3 precious coral and 1 EFP holder). **The estimated total number of burden hours is 13,732. The estimated number of responses per year is 25,490**, for logbooks, protected species interaction reports, sales reports, reports of gear left at sea, lost fishing time reports, area closure request forms, EFP reports, pre-trip and post-landing notifications, observer safety notifications, and protected species zone entry and exit notifications. See Table 1 for a detailed breakdown of estimated responses and burdens.

Table 1

Report Type	Estimated Respondents	Estimated Responses (current/previous)	Time per Response	Estimated Burden Hours
PELAGIC:				
Longline logbooks	200	23,000/5000	35 min	13,417/2917
Longline observer reporting	11	11	5 min	1
Pre-trip Notification	200	1,650/5030	5 min	138/419
Protected Species Zone entry/exit	25	200/200	5 min	17
Claim for lost fishing time	5	10/10	6 min	1
PRIA Troll and Handline logbook	10	60/60	5 min	5
Pelagic Squid Jig logbook	5	30/30	15 min	8
CRUSTACEAN:				
Logbooks	10	50/50	5 min	4
Sales Report	10	50/50	5 min	4
Landing/Offloading notices	10	50/50	5 min	4
BOTTOMFISH:				
Logbooks	30	210/210	30 min	105
Sales Report (Mariana Islands)	15	150/150	10 min	25
PRECIOUS CORAL:				
Logbooks	3	12/12	7 min	1

Sales Reports	3	6/6	5 min	1
EXPERIMENTAL FISHING:	1	1/1	35 min	1
TOTALS	5387	25,490		13,732

NMFS estimates the time needed for vessel owners/operators to submit observer safety notifications to be 5 minutes per response. It is estimated that there will be 11 responses per year. The estimated annual response was based on the average annual number of longline trips (American Samoa, Hawaii and California deep set longline, and Hawaii and California shallow set longline), average annual observer coverage by fishery and average rate of injury and harassment reports from observers from 2014-2018.

Total estimated observer safety notifications per year: 396 observed trips/yr x 0.028 observer reports/observed trip = 11

Total estimated burden per year: 11 notifications per year x 5 min/notification = 1 hour

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

There is no start-up capital cost for complying with this requirement. The annual total cost to respondents is estimated at \$1,300, which includes miscellaneous postage and communications costs. The logbook has a carbonless duplicate, so no photocopying is required. A dropbox is provided for fishermen at the Honolulu fish auction where most fish are landed and NMFS provides a service center at Pier 38 where logsheets may be received, so not all logsheets have to be mailed.

The estimated annual cost for the observer safety notifications is \$5 per notification, which will generally be made by satellite phone. At 11 expected responses per year, the total estimated cost is \$55 per year.

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

The estimated annual cost to the Federal government to administer this collection of information is \$200,000. This includes the cost for printing log forms, staff time for receiving and transmitting the report forms to appropriate NMFS personnel for analysis, for data entry and quality control, and to administer the pre-trip notifications.

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

Program Changes: As described in previous questions, there would be changes to U.S. purse seine vessel owners and operators related to reporting on FADs and observers.

NMFS estimates the time needed for vessel owners/operators to submit observer safety notifications to be 5 minutes per response. It is estimated that there will be 11 responses per year. Total estimated observer safety notifications per year: 396 observed trips/yr x 0.028 observer reports/observed trip = 11

Total estimated burden per year: 11 notifications per year x 5 min/notification = 1 hour

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. The data will be used for fisheries management and protected species reports, FEP amendments, and evaluations by NMFS and the Council. However, 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.

The expiration date will be shown on the report forms used under this collection.

18. Explain each exception to the certification statement.

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

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.