

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Observer Programs' Information That Can be Gathered Only Through Questions**  
**OMB Control No. 0648-0593**

**Abstract**

This request is for an extension and revision to an existing information collection (OMB Control No. 0648-0593): Observer Programs' Information That Can Be Gathered Only through Questions.

In June 2020, NMFS received emergency approval from OMB to add six questions related to the COVID-19 pandemic to the above mentioned information collection. The added safety questions are necessary to ensure that an observer can be safely deployed on a specific fishing vessel or stationed at a specific processing plant and work safely once assigned to a specific vessel or plant. With this renewal request NMFS would like to update the six questions to also include other communicable diseases, and make four other minor changes to this collection (please see question 15). This will allow observer programs flexibility when other communicable diseases arise in the United States. The updated questions are:

1. In the past 2 weeks, have the captain and crew been following state mandates for travel, physical distancing, or any other restrictions and guidance in response to the current health crisis?
2. Do any crew members currently have two or more symptoms of COVID-19 (fever, chills, cough, shortness of breath, headache, sore throat, new loss of taste or smell) or symptoms of any other communicable disease, such as tuberculosis, *Methicillin-resistant Staphylococcus aureus* (MRSA), etc.?
3. In the past 2 weeks, have any of the crew tested positive for, or been exposed to, someone who has tested positive for COVID-19 or any other communicable disease, such as tuberculosis, MRSA, etc.?
4. Does the vessel have procedures in place to reduce their exposures to COVID-19 or any other communicable disease, such as tuberculosis, MRSA, etc.?
5. Is there a response plan in place should someone show symptoms of COVID-19 or any other communicable disease, such as tuberculosis, MRSA, etc., during a trip?
6. Is there a supply of personal protection and sanitizing equipment, such as face coverings, hand sanitizer, etc., onboard the vessel for the crew?

**Justification**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) deploys fishery observers on United States (U.S.) fishing vessels and to fish processing plants (plants) in order to collect biological and economic data. The [Magnuson-Stevens Fishery Conservation and Management Act](#) (MSA) provides authority to require observer coverage on a vessel or at a fish processing plant for the purpose of collecting information necessary for fishery conservation and

management. Observers are also authorized to be deployed under the [Endangered Species Act](#) (ESA), and the [Marine Mammal Protection Act](#) (MMPA) to collect information on species protected under those authorities. Section 303(b)(8) of the MSA states that any fishery management plan which is prepared by any Council, or by the Secretary of Commerce (Secretary), with respect to any fishery, may require that one or more observers be carried on board a vessel of the United States engaged in fishing for species that are subject to the plan, for the purpose of collecting data necessary for the conservation and management of the fishery; Sec. 403(a) requires the Secretary to promulgate regulations for fishing vessels that carry observers; and Sec. 403(b)(1) requires the Secretary to establish programs to ensure that each observer receives adequate training in collecting and analyzing the information necessary for the conservation and management purposes. Similar authority to place observers on fishing vessels is provided by Sec. 118 of the MMPA (50 USC Part 229) and Parts 222 and 223 (USC) of the ESA.

NMFS has at least one observer program in each of its five regions. Each observer program was subsequently authorized and implemented via MSA regulations: [50 CFR 600 Subpart H](#), [50 CFR 679 Subpart E](#), [50 CFR 648 Subpart A](#), [50 CFR 660](#) (Subparts C, E, F, I, K); [50 CFR 665](#) (Subparts B and C), [50 CFR 635 Subpart A](#), [50 CFR 622 Subpart A](#), and [50 CFR 222 Subpart D](#) (Marine Mammal Protection). All observers are employed by contracting companies, referred to here as observer providers.

These observer programs provide the only reliable and/or most effective method for obtaining information that is critical for the conservation and management of living marine resources. Observer programs primarily collect data through direct observations or through non-standardized oral communication in connection with such direct observations; and such collections are not generally subject to the Paperwork Reduction Act (PRA) (see [5 C.F.R. §§ 1320.3\(h\)](#)). However, observer programs also collect the following information that requires clearance under the PRA: (1) standardized questions of fishing vessel captains/crew or fish processing plant managers/staff (includes fish buyers/dealers), which include gear and performance questions, safety questions, and trip costs, crew size and other economic questions; (2) questions asked by observer program staff/contractors to plan observer deployments; (3) forms that are completed by observers and that fishing vessel captains are asked to review and sign; (4) questionnaires to evaluate observer performance; (5) forms to certify that a fisherman is the permit holder when requesting observer data from the observer on the vessel; and (6) information on reimbursement forms. Economic information not available during the trip may be requested via mail in a follow-up survey.

Biological and economic information collection programs implemented by NMFS address statutory and regulatory mandates to conserve and manage living marine resources, which includes collecting information that may be used to: (1) monitor catch and bycatch; (2) understand the population status and trends of fish stocks and protected species, as well as the interactions between them; (3) determine the quantity and distribution of net benefits derived from living marine resources; and (4) predict the biological, ecological, and economic impacts of existing management measures and alternative proposed management measures.

In particular, these biological and economic information collection programs contribute to analyses required under the MSA, the ESA, the MMPA, the National Environmental Policy Act (NEPA), the [Regulatory Flexibility Act](#) (RFA), and [Executive Order 12866](#). NMFS observer programs are often the only reliable and/or most effective means to collect the biological and economic information required to meet the legislative and regulatory mandates that define the NMFS stewardship responsibilities for the conservation and management of living marine resources. It is important to note that a key feature of the Federal regulatory process is that NMFS cannot simply implement a regulation to achieve a conservation goal but instead must consider a suite of management alternatives. Economic analyses can

identify the alternative that minimizes losses to stakeholders while still achieving conservation goals, allowing NMFS to be proactive, rather than reactive, in its resource management strategy.

To protect observer safety, observer provider companies have requested that NOAA obtain authorization to allow observers to gather information on COVID 19 prior to deployment. Without that additional information, observer providers have said they cannot assess vessel or plant safety and therefore may not allow deployment of their observers. If observer providers are unable to deploy observers due to safety concerns, NOAA would be unable to fulfill mandatory observer monitoring requirements and would not have fishery conservation and management information needed to satisfy legal requirements such as the establishment and monitoring of annual catch limits and monitoring of limits on incidental take of protected species.

Accordingly, the addition of supplemental safety questions to the approved IC are necessary to ensure the safety of observers and the safety of vessel crew and plant staff during the evolving COVID-19 pandemic. Through the additional six questions, observers will obtain information related to the presence of COVID-19 (and other communicable diseases) among vessel crew or plant staff, the availability of safety equipment, and the existence of communicable disease safety plans. With that information, observer providers could then assess the safety of a deployment and take appropriate steps to mitigate any risks.

Unlike the information obtained through the approved IC, there are no regulations that require vessels and plants to provide communicable disease information. Therefore, responses to these questions would be voluntary.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

How the information will be used

The information collected will be used to: (1) monitor catch and bycatch in Federally managed fisheries; (2) monitor interactions with protected resources (e.g., marine mammals and sea turtles); (3) understand the population status and trends of fish stocks and protected species, as well as the interactions between them; (4) determine the quantity and distribution of net benefits derived from living marine resources; (5) predict the biological, ecological, and economic impacts of existing management measures and alternative proposed management measures, and (6) understand safety risk for observers.

Comprehensive catch and bycatch information is an essential component of all stock assessments and is necessary for the development of effective fisheries and protected resource management strategies. At-sea observer programs are the most reliable method of collecting bycatch information. The MSA requires implementation of annual catch limits for all federally managed fisheries. Bycatch data collected by at-sea observer programs are an essential component in the estimation of total catch because bycatch approaches or exceeds landed catch in some fisheries and is a significant part of the total catch in many other fisheries. Analysis of catch, bycatch, and fishing effort information collected by observers also supports development of and recommendations within take reduction plans, biological opinions, and fishery management plans. Observer data are also used to assess the impact of experimental fisheries, monitor the effectiveness of bycatch reduction technologies, and enforce fisheries regulations.

In general, analysis of catch and bycatch, cost, revenue, and employment information for fishing vessels will assist analysts in estimating:

1. Environmental impacts of proposed regulations
2. Net economic value to the nation
3. Economic health of the fisher
4. Effects on business efficiency
5. Community economic impacts
6. Firms' economic dependence on the fishery
7. Economic impacts of proposed regulations, including area closures, gear restrictions, and catch or bycatch restrictions
8. Distribution of economic impacts from proposed regulations and, in particular, the significance of impacts on small businesses
9. Likelihood of bankruptcies
10. Effects on international competitiveness.

The following is a summary of the need for each type of question.

**Safety Questions:** Safety information is required to ensure that an observer can be safely deployed on a specific fishing vessel or stationed at a specific processing plant and work safely once assigned to a specific vessel or plant. In June 2020, NMFS received emergency approval to add six questions related to the COVID-19 pandemic. The added safety questions are necessary to ensure that an observer can be safely deployed on a specific fishing vessel or stationed at a specific processing plant and work safely once assigned to a specific vessel or plant. The questions also provide the observer with necessary information on protocols that will be followed if an observer, vessel crew, or plant staff become sick during the observer's deployment.

**Other Pre-Deployment/Logistical Questions:** Pre-deployment questionnaires are utilized by observer program staff when a vessel is selected to be observed. The responses provide critical information on vessel departure point, return point, and communications (to coordinate observer deployment); planned fishing locations (in order to ensure that appropriate coverage levels are achieved for all areas); and Commercial Fishing Vessel Safety Decal number (Decals are required by the US Coast Guard for all vessels in an observed fishery).

**Vessel Characteristics:** Information on vessel characteristic (e.g., vessel name, permit or license number, documentation number, length, year built, hull construction, tonnage, horsepower) is necessary to help identify specific vessels. While much of the information on physical descriptors such as hull type, tonnages, and length are available from other sources, these data are often outdated, missing or conflicting. Such information can be used in stratifying vessels; and, as noted above, vessel characteristics information is used in assessing and adjusting for any bias in the selection of the vessels that are observed.

**Ownership:** The vessel owner's name and address are collected for contact information. Questions regarding ownership are useful in terms of social interest; however, evaluation of owner participation also plays a role in predicting whether marginal vessels will stay in business. For example, the owner of a vessel with zero or slightly negative net profits may decide to remain in the fishery if the owner is deriving a wage from personally operating a vessel. On the other hand, an owner who hires a skipper may be more likely to choose to exit the fishery under a similar circumstance.

**Effort/Gear Descriptors:** These questions are useful in helping the analyst describe and quantify effort on the fishing grounds in terms of the types and amounts of gear deployed. This information could be used in developing models of efficient fleet size to support such activities as fleet reduction programs, as well as provide information on the level of capitalization within the various sectors of a fishery. Effort information often is collected through direct observations, which includes obtaining the information from the fishing vessel's logbook. However, if a vessel is not required to maintain logbook that the observer can access (e.g., in state fisheries with MMPA observers), the observer asks questions to obtain that information from the captain/crew. Effort information and gear descriptors are used to estimate and extrapolate catch and bycatch for unobserved hauls and unobserved portions of the fleet, where coverage levels are less than 100%. Even where coverage levels are 100%, this information is still necessary, as some vessels may be considered un-observable due to safety concerns.

**Trip Level Operating Costs:** This information is necessary to estimate the net value of participation in the fishery; calculate producer surplus and short-run economic and financial profit measures; assess the change in net benefits caused by proposed management actions; and is used in the Fishery Economic Assessment Model and IMPLAN<sup>1</sup> Model to estimate economic impacts.

**Catch/Revenue:** As noted above, the MSA requires FMPs to contain a description of the fishery including actual and potential revenues from the fishery. Revenue information, in conjunction with cost information, is necessary to derive net economic value. Additionally, revenue information from all activities can be used to allocate fixed costs between different activities and as part of the assessment of relative dependence on the fishery.

For vessels delivering to motherships, these questions are particularly important because in some fisheries there are no fish ticket records for at-sea landings. Information on revenue from other fisheries is needed because of similar deficiencies in fish ticket records, and the lack of access to confidential information for fisheries in some states.

In addition, if the respondents calculate their net income based on their other answers and the result is out-of-line with their experience, they may stop to consider whether they have answered the preceding questions on costs and revenue correctly and entirely. Further, if respondents provide previously calculated net income without checking for consistency, or analysts compare the reported values with fish ticket revenue information where available, analysts may derive a result different from the survey responses alerting them to some degree of incompleteness in either the survey or the responses to the questions.

**Regional Impact:** One assumption generally made in assessing impacts on coastal communities is that all employees live in the coastal area of the vessel's homeport and, consequently, crew share is spent in the vessel's homeport. Similarly, current models assume all impacts occur in the port of landing or in a homeport (for vessels delivering to motherships). This information is particularly important in assigning community impacts for vessels delivering to motherships but is also useful when the vessel is active in multiple ports. While this simplifying assumption was useful in the early development of the models used in fisheries income impact assessments, more recent versions of these models allow analysts to relax this assumption. The information solicited by these questions is necessary to make use of this ability to more accurately estimate the distribution of effects. These questions are intended to address the issue with better quality information that is more evenly distributed across sectors.

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<sup>1</sup> The Fishery Economic Assessment model and IMPLAN® (IMPact analysis for PLANning) are economic impact assessment modeling systems, which allows the user to build economic models to estimate the impacts of economic changes in their states, counties, or communities.

**Crew Size:** This information is of interest in terms of effect on the fishing community and general community employment. Income-related questions will allow a systematic assessment of the degree to which individuals are engaged and dependent on fishing-related activities.

#### Information users and purpose and frequency of use

The information will be used by NMFS staff, as well as by others who are authorized to access this confidential information. It will be used for the purposes of developing, implementing, revising, and monitoring fishery management plans and actions that are taken in support of the MSA, MMPA, and ESA. The information will be used on a frequent and ongoing basis in meeting NMFS stewardship responsibilities identified in the MSA, MMPA, ESA, NEPA, other applicable law, and treaties.

#### Complies with all applicable information quality guidelines

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 will not be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications. All such uses of this information will be subject to: (1) the quality control measures and pre-dissemination review pursuant to [Sec. 515 of Public Law 106-554](#) (Information Quality Act) and (2) [NOAA Information Quality Guidelines](#) for ensuring and maximizing the quality, objectivity, utility, and integrity of information which it disseminates. Among other things, the NOAA guidelines establish an administrative mechanism allowing affected persons to seek and obtain correction of information that does not comply with OMB or NOAA applicable guidelines

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

Typically, the information is collected during brief conversations between the observer and the captain/crew of the fishing vessel; and the form or list of questions is not given to the captain/crew; instead, it is used by the observer to ensure that the appropriate questions are asked. Therefore, in this case, the electronic submission of responses is not possible. In most cases, the forms or lists of questions are included in the observer manuals. Manuals can be found on the National Observer Program webpage: <https://www.fisheries.noaa.gov/topic/fishery-observers#observer-programs>.

The major exceptions are the questions observer program staff/contractors ask fishing vessel permit holders/captain in order to plan observer deployments, the questions that are asked to evaluate observer performance, and the reimbursement forms (e.g., for the purpose of reimbursing the captain/owner for observer meals). The first can include questions concerning the logistics of planned fishing trips, vessel safety, vessel call numbers, and means of reaching the vessel at sea in case of emergencies. Often, the potential respondents are mailed a form and asked to complete it and return it by fax. The reimbursement forms typically are mailed or handed to the vessel captain and returned by mail to the contracted observer service provider.

In two regional observer programs, NMFS has implemented the ability to download and submit electronic observer evaluations. One observer program places a secured lock box at the main fishing dock where fishermen can deposit their observer evaluation.

Observers typically use paper forms because the technology for electronic data entry at sea is very expensive and not available in all cases. However, NMFS has begun to expand the use of electronic data entry by observers. For example, the Northeast Fishery Observer Program (NEFOP) has begun to record data electronically on rugged laptops or handheld devices such as Toughpads from which data can be transmitted wirelessly. Similarly, the West Coast Groundfish Observer Program (WCGOP) and the Pacific Islands Observer Program (PIOP) have begun testing handheld devices for use in automatic, electronic data collection. Currently, observers in the WCGOP and PIOP are issued a laptop with the option for offline data entry to expedite data availability.

Non-confidential summaries of the information will often be made available to the public over the internet.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2**

Federal and State collection programs were reviewed to ensure that the questions covered in this collection request do not duplicate information provided by other collection programs. The economic, gear, safety, and other questions asked by observers were designed to provide types of information that are not available from, or similar to, the information provided by other collection programs. When adjustments to this collection of information are proposed, an extensive consultative process is used to ensure the new information proposed for collection is not available from another collection program. In most cases, this determination is made through an open public process that includes input from a NMFS Regional Office, a NMFS Fisheries Science Center, a Council (including its Scientific and Statistical Committee and other advisory panels), an Interstate Commission, one or more State fishery management agencies, the fishing industry, environmental organizations, and others interested in or affected by the conservation and management of living marine resources.

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

Since most of the respondents are considered small businesses, separate requirements based on size of business have not been developed. The methods used to minimize the burden include: (1) limiting the questions that are asked; (2) asking questions that can be answered readily and that do not require additional recordkeeping costs; (3) having the observer ask the questions at times that are convenient for the captain/crew of the fishing vessel; and (4) using plain, coherent, and unambiguous terminology that is understandable to respondents.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

Fisheries observers are trained scientific technicians who monitor and record catch and bycatch data and collect other biological and economic data from U.S. fishing vessels and processing facilities. Data from observers are used to understand the population status and trends of fish stocks and protected

species, as well as the interactions between them. Observer data are necessary for determining levels of bycatch of protected species and non-target fish stocks, which can be a major factor affecting mortality rates and, thus, population status and recovery of protected species. Information on target species, gear types used, fishing vessel locations, etc., are necessary to calculate fishing effort, an important component of bycatch estimation. When these data cannot be collected through direct observation (such as when an observer is off-duty), or when the information is known only to the captain and crew (e.g., target species), questions must occasionally be asked of the captain/crew. This includes questions that are asked in order to: (1) ensure the effectiveness and efficiency of the observer programs, and (2) maintain the safety of fisheries observers aboard fishing vessels and at processing plants. To effectively and efficiently meet the NMFS stewardship responsibilities, including those identified in the MSA, MMPA, ESA, and NEPA, NMFS observer programs must continue to collect these data. If the information provided by observers is collected less frequently (e.g., due to COVID-19) the uncertainty related to population status, bycatch, mortality, etc., increases. At this point it is unclear how this increased uncertainty may impact fisheries management.

Trip level economic data, including cost, revenue, and employment data, are among the data required to monitor and predict the economic effects of specific conservation and management actions. Therefore, the ability of NMFS to design and implement actions that will assist in meeting its stewardship responsibilities for living marine resources and their habitat would be limited severely if observer programs do not continue to collect this information.

The gear, safety, and other noneconomic questions asked by observers are critical for the safety of the observers or are used to make the information gathered by observers through direct observation more useful. Prior to deployment of an observer, fishery observer programs, in coordination with observer providers, must assess the adequacy of a vessel or plant for purposes of observer safety. An observer cannot be deployed to a vessel or plant that is determined to be inadequate for purposes of observer safety unless actions are taken to address the inadequacy. Therefore, these questions, including questions related to COVID-19 and other communicable diseases are required for safe and effective observer programs, without which, some of the key biological and economic information used in meeting the Agency's stewardship responsibilities would not be available.

Most of the requested information is trip specific, can vary by trip, and is used with directly observable or reported trip level data to monitor the biological and economic characteristics of observed fishing trips and to estimate the characteristics of unobserved trips. In some cases, haul-specific target, gear, catch, and effort questions are asked to expand the information for observed hauls to all hauls during a trip. Therefore, if the collection is conducted less frequently, the Agency's ability to effectively monitor the full trip characteristics of observed trips and to estimate the characteristics for unobserved trips would be decreased substantially.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with OMB guidelines.**

The collection will be conducted in a manner consistent with OMB Guidelines at 5 CFR 1320.5.

**8. If applicable, provide a copy and identify the date and page number of publications 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.**

A [Federal Register](#) Notice published on July 31, 2020 (85 FR 46071) solicited public comment on this collection. One comment was received. The commenter was concerned that the inclusion of the new safety questions violated Rhode Island law regarding the confidentiality of healthcare information. NMFS understands this concern. The new safety questions, which are voluntary, seek information about COVID-19 and other communicable disease risks presented by the vessel operator and fishing crew. NMFS would not record a person's identity should they choose to respond to the safety questions and NMFS would use it only to assess whether an observer can be safely deployed on a fishing trip. In addition, the MSA requires the confidentiality of any information collected by an observer, which would include information that a vessel operator or crew voluntarily provides to an observer about COVID and other communicable diseases.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees**

There are no payments or gifts provided to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.**

Information obtained through this collection for fisheries conservation and management will be kept confidential as required under Section 402(b) of the MSA (18 U.S.C. 1881a(b)) and regulations at 50 C.F.R. Part 600, Subpart E. Each observer is required to execute a non-disclosure agreement under which they acknowledge the MSA requirement to maintain the confidentiality of observer information. Information provided through this collection for monitoring incidental takes of marine mammals will be kept confidential as required under Section 118(d)(8) of the MMPA (16 U.S.C. 1387(d)(8)) regulations at 50 C.F.R. Part 229, Subpart A and [NOAA Administrative Order 216-100](#), Confidentiality of Fisheries Statistics.

Observers are trained to provide this assurance of confidentiality as part of their trip protocol. This information is covered by a Privacy Act System of Records Notice, [COMMERCE/NOAA-19](#), Permits and Registrations for United States Federally Regulated Fisheries. A Privacy Act Statement is posted on the main observer program Web site.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

There are no questions of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information.**

The estimates are of the average annual burden hours that would occur in the next three years (2021 – 2024) under the current and planned collection of each NMFS observer program for the following six types of information collections: (1) standardized questions of fishing vessel captains/crew or fish

processing plant managers/staff; (2) questions asked by observer program staff/contractors to plan observer deployments; (3) forms that are completed by observers and that fishing vessel captains are asked to review and sign; (4) questionnaires to evaluate observer performance; (5) a form to certify that a fisherman is the permit holder when requesting observer data from the observer on the vessel; and (6) information on reimbursement forms. The burden hours include an estimate of time needed to answer the additional safety questions related to COVID-19 or other communicable diseases. These questions may not always need to be asked if the pandemic ends or if other means of collecting the safety information exists. For example, **the state of Alaska has a protocol<sup>2</sup> for documenting the safety of commercial fishing boats during the pandemic.**

Some questions (e.g., target species for a set and catch for sets) are set-specific and asked several times during a trip. Some questions are asked once per trip or deployment. Other questions are asked only on trips in which the observer cannot collect the information through direct observations or through non-standardized oral communication in connection with such direct observations.

Each observer program estimates the number of observed vessels (column a) and the number of observed trips (column c) based on their most recent information (2019 data). At this point it is unclear if total annual observed trips for 2020 will be decreased due to COVID-19. Estimated burden hours per response are consistent through time and include previous estimates plus additional time to account for the new COVID-19 safety questions. Estimates of annual Burden Hours and Cost Burden based on the new 2019 mean Bureau of Labor Statistics wage for “first-line supervisors/managers of farming, fishing, and forestry workers” (45-1011) at \$25.25 per hour are shown in the table below.

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents (Observed Vessels)	Annual # of Responses / Respondent	Total # of Annual Responses (Annual Planned Observed Trips)	Burden Hrs / Response	Total Annual Burden Hrs	Hourly Wage Rate (for Type of Respondent)	Total Annual Wage Burden Costs
		(a)	(b) = (c) / (a)	(c)	(d)	(e) = (c) x (d)	(f)	(g) = (e) x (f)
Northeast Fisheries Observer Program	1st line supervisors of fishing workers	895	5.5	4,888	117 min	9,532	\$25.25	\$240,673
North Pacific Groundfish & Halibut Observer Program & Processing Plants	1st line supervisors of fishing workers	417	14.0	5,830	56 min	5,441	\$25.25	\$137,394
Alaska Marine Mammal Observer Program	1st line supervisors of fishing workers	95	0.9	86	15 min	22	\$25.25	\$543
Westcoast Groundfish Observer Program: Catch and Non-Catch Shares	1st line supervisors of fishing workers	371	5.8	2,161	58 min	2,089	\$25.25	\$52,746
Pacific Islands Region Observer Program	1st line supervisors of fishing workers	148	2.6	384	86 min	550	\$25.25	\$13,898
Southeast Shark Fishery Observer Program	1st line supervisors of fishing workers	60	2.0	120	75 min	150	\$25.25	\$3,788
Southeast Pelagic Observer Program	1st line supervisors of fishing workers	50	3.0	150	85 min	213	\$25.25	\$5,366
GOM observer program	1st line supervisors of	91	1.4	130	110 min	238	\$25.25	\$6,018

<sup>2</sup> Please see <https://covid19.alaska.gov/wp-content/uploads/2020/05/05222020-COVID-MANDATE-017-Independent-Commercial-Fishing-Vessels.pdf>.

	fishing workers							
WCROP	1st line supervisors of fishing workers	36	4.1	146	62 min	151	\$25.25	\$3,809
Southeast Reef Fish Program	1st line supervisors of fishing workers	40	1.0	40	75 min	50	\$25.25	\$1,263
<b>Totals</b>				<b>13,935</b>		<b>18,436</b>		<b>\$465,496</b>

**13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).**

#### Capital and Start-Up Costs

There are no start-up, capital, or maintenance costs associated with this collection. No new or specialized equipment is needed to respond to this collection. Most of the information is collected by observers directly from fishing vessel captains/crews through one or more brief conversations during a fishing trip when it is convenient for the captain/crew. Gathering and maintaining the information in this collection is part of the customary and usual business practices of fishing vessel captains/crews. This is also true for the limited information obtained from processing plant managers/staff, as well as the pre-deployment information obtained from fishing vessel operators or permit holders.

#### Operations and Maintenance Costs

Excluding labor costs, the total operations and maintenance costs is estimated to be approximately \$1,050 annually, which is the cost of mailing or faxing the pre-deployment information for a limited number of fishing trips<sup>3</sup> (Southeast observer programs), reimbursement forms (Southeast, Northeast observer programs), or vessel comment forms (Alaska observer program) to NMFS or the service providers.

**14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.**

The annual cost to the Federal government for all observer programs in 2018 (this is the most recent data available) is provided below. These costs cover costs for the FTEs and contractors running the observer programs, FTE and contractors running the observer training programs, the staff running the National Observer Program, observer service provider companies contracted by the federal government, travel associated with observer training and deployment, etc. As the cost to the Federal government is dependent on congressional appropriations, NMFS cannot predict future cost. However, as appropriations have been relatively consistent through time, NMFS does not expect large decreases moving forward.

**The 2018 Observer Costs table for total costs of \$55,911,949 broken out by five NMFS Regions Programs is shown below.**

<sup>3</sup> Rest are either by local calls or via electronic applications.

<b>Observer Program</b>	<b>Congressional Appropriations</b>
Alaska	\$8,031,306
Northeast	\$24,796,561
West Coast	\$9,201,253
Pacific Islands	\$8,333,868
Southeast	\$5,548,961
<b>TOTAL</b>	<b>\$55,911,949</b>

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

There have been five changes since the last approval of the collection. The first is the addition of emergency health and safety questions related to the COVID-19 pandemic (covered by the June 12, 2020 emergency approval). The second is the expansion of observers to include an additional fishery. The Southeast region will begin sending observers out on Southeast reef fish fishery trips and thus needs to add this fishery to this collection. The third is a combination of two programs previously listed as separate; the Gulf of Mexico reef fish and shrimp program and grouper snapper program. The fourth is the West Coast Groundfish Observer Program (WCGOP) would like to start collecting the names of crew members within their observer logbooks. The data will be recorded on paper, scanned in, and stored according to vessel name. This information will only be accessed if there is an enforcement issue. The final change is also within the West Coast Groundfish Observer Program. They have introduced a new phone app that captains are using to declare upcoming fishing trips and NMFS is using to let them know if they have been selected for observer coverage. Screen shots of the new application are included with the forms. Other observer programs are also working on converting to smart phone apps, but they have not yet been implemented.

Additionally, some forms have been removed from this OMB Control Number as they are completed based upon direct observation by an employee or agent of the sponsoring agency and are therefore exempt from the PRA requirements. (5 CFR 1320.3(h)(3)) A list of all forms, included and removed, is uploaded as a Supplemental Document.

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	
Northeast Fisheries Observer Program	895	2,038	4,888	9,073	9,532	17,692	Number of observed vessels and expected number of observed trips have been updated based on 2019 data. In addition, 5 minutes was added to the response time for each planned observer trip, with the exception of Alaskan trips for which only 1 minute was added. Alaska has their own COVID-19 requirements specific for fishing boats that answers most of the questions the observers are planning to ask, reducing the response time for those observed trips.
North Pacific Groundfish & Halibut Observer Program & Processing Plants	417	417	5,830	5,830	5,441	5,441	
Alaska Marine Mammal Observer Program	95	36	86	86	22	22	
WCGOP: Catch and Non-Catch Shares	371	387	2,161	3168	2089	3,062	
Pacific Islands Region Observer Program	148	152	384	367	550	526	
Southeast Shark Fishery Observer Program	60	80	120	120	150	150	
Southeast Pelagic Observer Program	50	62	150	150	213	213	
Gulf of Mexico Observer Program	91	0	130	0	238	0	
Gulf of Mexico Reef Fish and Shrimp Observer Program	0	164	0	244	0	447	
Gulf of Mexico Snapper-Grouper Observer Program	0	349	0	349	0	640	
West Coast Region Observer Program	36	26	146	219	151	226	
Southeast Reef Fish Program	40	0	40	0	50	0	
<b>Total for Collection</b>	<b>2,203</b>	<b>3,711</b>	<b>13,935</b>	<b>19,606</b>	<b>18,436</b>	<b>28,419</b>	New collection.

Difference	-1,508	-5,671	-9,983
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Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Northeast Fisheries Observer Program	\$240,673	\$446,732	\$500	\$532	Estimated number of observed trips has been updated based on 2019 data. The Labor Rate was updated using the 2019 mean Bureau of Labor Statistics wage rate for "first-line supervisors/managers of farming, fishing, and forestry workers" (45-1011).  The operations and maintenance costs (miscellaneous costs) cover forms mailed to boat captains prior to departure or after completion of the trip. Many of these forms are now electronic, reducing this cost.  New collection.
North Pacific Groundfish & Halibut Observer Program and Processing Plants	\$137,394	\$137,394	\$50	\$342	
Alaska Marine Mammal Observer Program	\$543	\$543	\$0	\$5	
WCGOP: Catch and Non-Catch Shares	\$52,746	\$77,326	\$0	\$186	
Pacific Islands Region Observer Program	\$13,898	\$13,282	\$0	\$22	
Southeast Shark Fishery Observer Program	\$3,788	\$3,788	\$150	\$7	
Southeast Pelagic Observer Program	\$5,366	\$5,366	\$150	\$9	
Gulf of Mexico Observer Program	\$6,018	0	\$150	\$14	
Gulf of Mexico Reef Fish and Shrimp Observer Program	0	\$11,295	0	\$14	
Gulf of Mexico Snapper-Grouper Observer Program	0	\$16,156	0	\$22	
West Coast Region Observer Program	\$3,809	\$5,714	\$0	\$13	
Southeast Reef Fish Program	\$1,263	0	\$50	\$0	
<b>Total for Collection</b>	<b>\$465,496</b>	<b>\$717,595</b>	<b>\$1,050</b>	<b>\$1,152</b>	
<b>Difference</b>	<b>-\$252,099</b>		<b>-\$102</b>		

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

The information collected will not be disseminated to the public.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

The agency plans to display the expiration date for OMB approval of the information collection on all instruments.

**18. Explain each exception to the certification statement identified in "Certification for Paperwork Reduction Act Submissions."**

The agency certifies compliance with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).