

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Atlantic Highly Migratory Species Individual Bluefin Quote (IBQ) Tracking and Appeals
OMB Control No. 0648-0677

Abstract

This request is for the extension of a currently approved information collection. This information collection consists of tracking IBQ allocation trading among individuals with Longline category or Purse Seine category Atlantic tunas vessel permits. An online system managed by the National Marine Fisheries Service (NMFS) will track allocations and allocation trades, and reconcile trades with landings for bluefin tuna quota monitoring. The information collected through this program is essential for the United States to implement the IBQ program implemented by Amendment 7 to the Consolidated Highly Migratory Species Fishery Management Plan, and to meet its reporting obligations to the International Commission for the Conservation of Atlantic Tunas (ICCAT) by ensuring that the harvest of bluefin tuna remains within ICCAT required quotas and landings limits.

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 United States (U.S.) Secretary of Commerce is authorized to regulate fisheries for Atlantic highly migratory species (HMS) under the [Magnuson-Stevens Fishery Conservation and Management Act](#) (MSA; 16 U.S.C. 1801 *et. seq.*) and the [Atlantic Tunas Convention Act of 1975](#) (ATCA; 16 U.S.C. 971 *et. seq.*), as amended. ATCA authorizes the Secretary to promulgate regulations as may be necessary and appropriate to carry out the binding recommendations from the International Commission for the Conservation of Atlantic Tunas (ICCAT).

ICCAT manages the highly valued, internationally pursued Atlantic bluefin tuna. ICCAT recommendations allocate a limited portion of the Western Atlantic bluefin tuna quota to the United States for distribution among domestic user groups. The National Marine Fisheries Service (NMFS) regulations at [50 CFR part 635](#) per the 2006 Consolidated Atlantic HMS Fishery Management Plan (Consolidated HMS FMP) govern domestic allocation of the ICCAT recommended bluefin tuna quota.

Amendment 7 to the 2006 Consolidated HMS FMP implemented individual bluefin quota (IBQ) shares and allocations to vessels fishing in the Atlantic Tunas Longline category. IBQs are intended to fairly and effectively allocate limited quota for incidental capture of bluefin tuna among vessels in the Longline category, while minimizing dead discards and discouraging

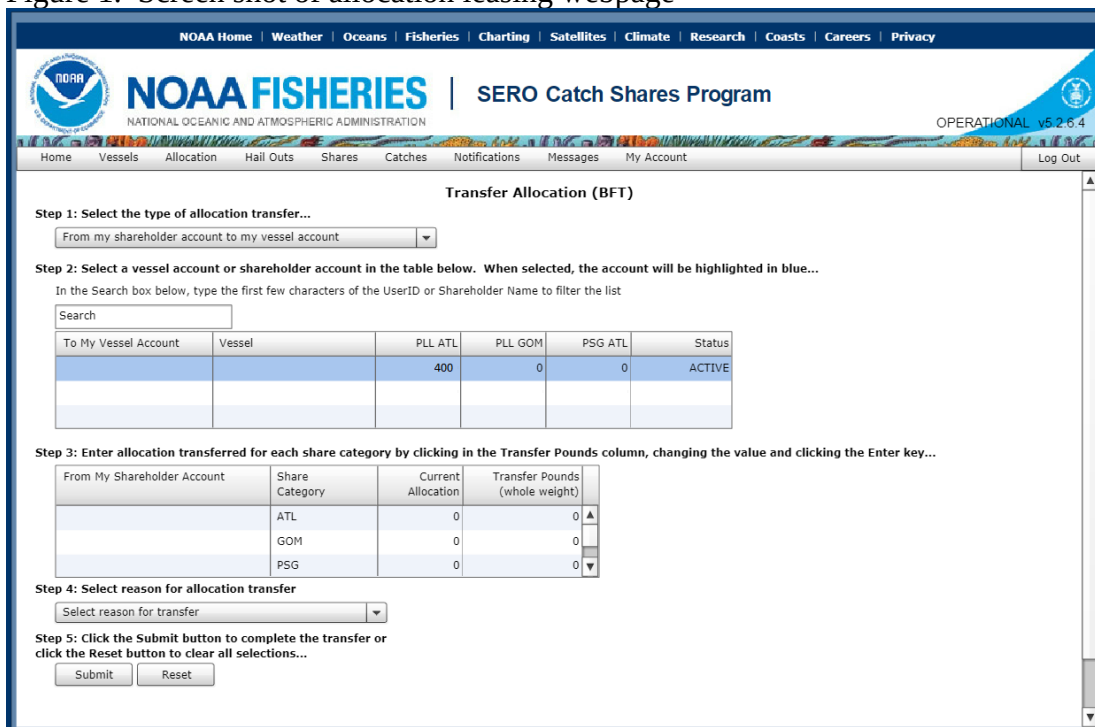
interactions with bluefin tuna, and better utilizing the Purse seine category quota. An on-line system developed by NMFS tracks allocations and allocation leases, and reconciles leases with bluefin tuna catch for quota monitoring. This collection of information includes reporting of IBQ allocation leases among pelagic longline (PLL) vessels and between PLL and purse seine vessels.

2. 1 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.

Eligible Atlantic Tunas Longline category permit holders must have an IBQ System account in order to be issued IBQ shares and resultant allocation, or lease IBQ. NMFS sets up the IBQ System account for eligible IBQ participants based on information provided in the application for the Atlantic Tunas Longline permit or Atlantic Tunas Purse Seine permit (Collection 0648-0327). The information is updated as needed.

The lease monitoring information collected by the IBQ System will be used by eligible permit holders in the PLL fishery and purse seine fishery in accounting for their respective IBQ and Purse Seine category allocations, and documenting allocation leases with other IBQ participants. Participants (lessors) will enter the amount of quota they wish to lease, the price per pound, and the account number receiving the lease. Lessees will then acknowledge receipt of the transfer. NMFS will use these data to ensure proper accounting of allocations among participants, and to track use of quota allocations and reconcile allocation usage with bluefin tuna catch and landings. Eligible IBQ participants will also use the system to monitor their IBQ allocations, Purse Seine category allocations, and catch data.

Figure 1. Screen shot of allocation leasing webpage



None of these data will be released for public review, except in aggregate form. 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. 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 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.

NMFS developed, and now maintains, the online IBQ data management system to track IBQs. All data entry is via the internet-based webpage <https://portal.southeast.fisheries.noaa.gov>. Shareholders use the system to track their IBQ and lease allocations with other shareholders. Shareholders sign into the system to monitor their IBQ, and to indicate the amount of quota allocation they would like to lease, and identify the other shareholder to whom they will transfer the allocation (lessee). The system tracks the amount of allocation leased and the cost of allocations. Along with the bluefin tuna dealer reporting system, it is used to monitor the status of the Longline category quota.

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

The IBQ program covered under this collection of information is implemented by NMFS, which is the sole authority responsible for managing the domestic Atlantic bluefin tuna fishery, on behalf of the Secretary of Commerce. No other agency has authority to implement an IBQ system for bluefin tuna fisheries. The Atlantic HMS management program includes a high degree of internal coordination across NMFS regions, science centers, and headquarters offices. The distributed nature of the HMS staff throughout the agency helps the program avoid duplication and leverage other NMFS assets such as the Gulf of Mexico Red Snapper IFQ program (OMB Control No 0648-0551) that serves as the operational basis for the IBQ data management system.

During the development of Amendment 7, which established the regulations for the IBQ system, NMFS coordinated closely with the HMS Advisory Panel (AP). The HMS AP includes citizens from HMS commercial and recreational fishing interests, environmental interests, academia, state fishery agencies, and federal fishery management councils. These individuals provide significant input and direction to NMFS, including the status of other fishery management or research programs and any potential for duplication of or similar reporting requirements in other fisheries. NMFS also coordinates directly with the states of the Atlantic and Gulf of Mexico

coasts, and the fishery management councils and interstate marine fisheries commissions operating in these geographic areas

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

This collection of information will affect Atlantic Tunas Longline and Purse Seine category vessel owners/participants, all of whom are small businesses. Since the IBQ System was built as an extension of the Southeast Gulf of Mexico red snapper IFQ system, permit holders who currently use the IFQ system to satisfy their Gulf fisheries reporting requirements would already be familiar with and have access to the new system.

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.

If this IBQ information tracking was not conducted, NMFS would not be able to effectively implement the IBQ tracking and leasing required under HMS regulations at 50 CFR 635. Without the tracking component of the IBQ System, NMFS and IBQ shareholders would not be able to effectively track the amount of IBQ allocation used by vessel owners/participants. Without the leasing component, the management program would be less effective, in part because of the small relative size of the IBQ shares and resulting allocations that will be available to each Longline category vessel. The catch of bluefin among Longline category vessels is not evenly distributed geographically or among the fleet. It would be very difficult to award IBQ shares and resultant allocation to permit holders in a way that would provide the IBQ allocation that they “need” to account for their bluefin landings and dead discards. Without transferability, a permit holder’s IBQ allocation could severely constrain their potential fishing effort. Further, the Purse Seine category participants would not be able to participate in the IBQ leasing process.

Real-time data collection is required to provide leasing functionality for the limited IBQ allocations and Longline category quota. Without real-time tracking of IBQ, vessels might not be able to meet the minimum allocation requirement to be able to lawfully proceed on a fishing trip. Further, overages by the Longline category could impact other domestic user groups or result in an annual quota overage. ICCAT could assess a penalty if the United States overharvests its quota.

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

OMB guidelines state that respondents should not be required to report information more often than quarterly. However, the IBQ System requires information regarding IBQ tracking and leasing to be entered in real-time. Without real-time data entry, NMFS and vessel owners/fishery participants would not be able to monitor the status of IBQ allocations in real-time. Further, vessel owners/participants would not be able to conduct IBQ allocation leases in real-time and the IBQ System would not be useful to the respondents.

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 notice was published in the Federal Register on August 31, 2020 (85 FR 53796) requesting public comment on the information collection requirements. Although no comments were received as a result of the Federal Register notice, NMFS routinely communicates with the users of the IBQ system and other affected members of the public about its HMS management programs in general, and the IBQ system.

When the IBQ system became effective, NOAA staff implemented a “customer service” plan to assist users, including development and distribution of a “User Guide,” and maintenance of a phone line (301-427-8591) staffed by knowledgeable individuals during business hours. During the first year of implementation, customer service staff had routine conference calls to discuss implementation, and noted many calls from pelagic longline shareholders that needed assistance with navigating the system for trading catch allocation. System development staff addressed these concerns by working to balance the needs of the system, including system security, with simplifying the system where possible. For example, NOAA fisheries dropped the need for users to renew their access on a yearly basis. Based on the feedback derived from customer service calls, NOAA also increased the estimate of time (burden) for a trade transaction from 2 minutes to 15 minutes.

NOAA continued to dialogue with the HMS AP during subsequent biannual meetings, and did not receive any further specific comments on use of the system. NOAA has continued to balance the needs of security and utility with system simplification while further developing enhancements for the system. NOAA is exploring removing the PIN for entry of landings in a rulemaking currently under development to further simplify the system.

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

There are no payments or other remunerations to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for 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.

All data submitted under this collection will be handled as confidential in accordance with the MSA, Section 402b, and [NOAA Administrative Order 216-100](#), Protection of Confidential Fishery Statistics. Respondents are given this assurance as part of the initial information received upon enrollment to use the IBQ System. The initial information will either be mailed or

emailed to the applicant, or available for download from the IFQ website.

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.

No questions of a sensitive nature are asked.

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

For 2017, 2018, and 2019 new vessel accounts totaled 11, 24, and 16 respectively per year, for an average of 13.7 per year, which NMFS is rounding up to 20 per year to account for potential future increases. NMFS estimates that it takes 10 minutes for each respondent to request and set up their account, for a total of (20 new accounts x 10 minutes per account = 200 minutes/60 minutes/hour = 3.3 hours) which NMFS is rounding up to 4 hours. Reporting burden for IBQ System request and set up is given in Table 1.

The annual amount of IBQ allocation leasing varies based on IBQ allocation size and the needs of permit holders or fishery participants. For 2017, 2018, and half of 2019, there were 62, 83, and 76 leases, respectively, for an average of 73.7 per year, which NMFS is rounding up to 100 per year to account for potential future increases. At 100 leases per year, the greatest possible number of respondents would be 200 (100 lessors and 100 lessees). NMFS estimates that each lease will take approximately 15 minutes per party (lessor/lessee) to complete. NMFS increased this estimate from 2 minutes in our initial supporting statement based on feedback from constituents who used the system. At 100 leases per year and 15 minutes per lease for the lessor and 15 minutes per lease for the lessee, the total reporting burden would be $100 \times 15 \times 2 = 3000/60$ minutes/hour = 50 hours (see Table 1).

Table 1. Annual reporting requirements, respondents, burden estimates, and associated wage burden costs.

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hrs (e) = (c) x (d)	Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Initial Application for IBQ Account	Ship Captain	20	1	20	0.2	4	\$25.25	\$101.00
IBQ Lease of Allocation	Ship Captain	200	1	200	0.25	50	\$25.25	\$1,262.50
Totals				220		54		\$1,363.50

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).

There is no additional cost burden to the public as a result of this information collection. All IBQ leasing is done electronically, and electronic submission will not result in any additional cost to the public, since small businesses are already set up with computers and internet service as part of their regular business operations.

Table 2. Annual cost burden per respondent and overall.

Information Collection	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Cost Burden / Respondent (h)	Total Annual Cost Burden (i) = (c) x (h)
Initial Application for IBQ Account	20	1	20	\$0	\$0
IBQ Lease of Allocation	200	1	200	\$0	\$0
TOTALS			220		-

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 Federal government costs for this information collection include contractor costs to build and maintain the electronic IBQ System to account for trade, program administration, and processing any requested appeals. FTE associated costs are for program oversight by the Fisheries Information and Monitoring Branch Chief in the Atlantic HMS Management Division, and customer service calls fielded by Atlantic HMS staff.

In an effort to reduce costs, NMFS coordinated internally to build the IBQ System onto a similar system that is already in operation (Southeast Region Gulf of Mexico Red Snapper IFQ Program, OMB 0648-0551). NMFS expects annual maintenance costs of \$25,000 per year. Additional contractual support for the IBQ system will now be provided through the Automated Fishery Management Support System contract which estimates IBQ related costs to be \$59,000 annually. Finally, we estimate \$22,500 in ODC costs associated with data storage for the IBQ program.

Table 3. Estimated federal costs associated with support of the Individual Bluefin Quota program.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	ZA - 4/5	\$228,405	5.0%		\$11,420.25
Other Federal Positions	ZP-4/3	\$210,002	1.5%		\$3,150.03
Other Federal Positions	ZP-3/2	\$127,635	2.5%		\$3,190.88

Other Costs:					
SERO IFQ System Administration					\$25,000
AFMSS Contract					\$59,000
Catch Share ODC					\$22,500
TOTAL					\$125,261.16

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

There are no changes in this renewal associated with the estimated number of respondents or responses. There was minor change of one hour to the estimate of burden hours due to rounding of the final estimate. There were more significant changes to the cost estimates for the information collection. The previous authorization did not include labor costs which are now estimated to be \$1,363.50 per year. Conversely, the previous authorization included \$1,100 for the cost of purchasing a computer for conducting IBQ trades as a miscellaneous cost. That cost has been removed in this renewal as it is arguably a standard business operating cost. Combined, these adjustments result in an overall cost adjustment of \$263.50.

Table 4. Changes and adjustments to respondent burden estimates.

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	
Initial Application for IBQ Account	20	20	20	20	4	4	No change
IBQ Lease of Allocation	200	200	200	200	50	49	Rounding
Total for Collection	220	220	220	220	54	53	
Difference	0		0		1		

Table 5. Changes and adjustments to respondent labor and miscellaneous costs.

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Initial Application for IBQ Account	\$101	\$0	\$0	\$0	Labor costs had previously been excluded.
IBQ Lease of Allocation	\$1,262.50	\$0	\$0	\$1,100	Previously included computer costs now excluded as regular business operating cost.
Total for Collection	\$1,363.50	\$0	\$0	\$1,100	
Difference	\$1,363.50		(\$1,100)		

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 results from the collection are not planned for statistical publication, although NMFS may distribute the results in reports or other publications. Prior to publication, data would be aggregated, as needed, to maintain confidentiality, and any report would comply with the Information Quality Act guidelines.

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 expiration date is displayed on the SERO Catch Share Programs – Public Home page.

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\(b\)\(3\)](#).