

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Pacific Islands Region Vessel and Gear Identification Requirements
OMB Control No. 0648-0360

Abstract

This request is for extension of a currently approved information collection. This collection of information covers regulatory requirements for fishing vessel and gear identification authorized under the Magnuson-Stevens Fishery Conservation and Management Act and other applicable laws. All vessels fishing under Federal permits issued by the Pacific Islands Region must display identification markings on vessels as specified in 50 CFR Part 665. Vessels fishing for highly migratory species in the Western and Central Pacific Convention (WCPFC) Area and tuna purse seine vessels in the South Pacific are required to display their international radio call sign in three locations and on any helicopter or skiff as specified in 50 CFR Part 300. Fishing gear in the western Pacific pelagic longline fisheries and western Pacific coral reef ecosystem fisheries are required to be marked with the vessel's official number in a specific manner and location as specified in 50 CFR Part 665.

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 success of fisheries management programs depends significantly on regulatory compliance. The vessel identification requirement is essential to facilitate enforcement for Pacific Islands region fisheries. The ability to link fishing or other activity to the vessel owner or operator is crucial to enforcement of the regulations issued under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) to govern domestic and foreign fishing in the Pacific Islands region and under authority of laws implementing international treaties. Similarly, the regulations require that certain fishing gear in federally regulated Pacific Islands pelagic longline fisheries and Pacific Islands coral reef ecosystem fisheries be marked with the vessel's official number. The marking of gear is crucial to enforcement and valuable in actions concerning damage, loss, and civil proceedings.

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.

Vessel Identification

In the domestic Pacific Islands Region fisheries, regulated under 50 CFR Part 665, the vessel's official number or international radio call sign (IRCS) is required to be displayed on the port and starboard sides of the deckhouse or hull and on an appropriate weather deck. The number identifies each vessel and should be visible at distances at sea and in the air. The requirements affect Pacific Islands pelagic longline vessels, pelagic troll and handline vessels, pelagic squid jig vessels, crustacean (lobster and deepwater shrimp)

fishing vessels, bottomfish fishing vessels, precious coral fishing vessels, coral reef ecosystem fishing vessels, and non-commercial fishing vessels fishing in the Rose Atoll, Marianas Trench, and Pacific Remote Islands Marine National Monuments. Hawaii non-commercial bottomfish vessels and Northern Mariana Islands bottomfish vessels less than 40 ft overall length that are in compliance with state/territory registration and marking requirements are exempt. Regulations in 50 CFR 665.16 specify the requirements for the vessel identification.

Domestic fishing vessels used to fish for highly migratory species on the high seas in the Western and Central Pacific Fisheries Commission (WCPFC) Convention Area with a WCPFC Area Endorsement, or required to have an Area Endorsement, must be marked with their IRCS number on both sides of the hull or superstructure and on a weather deck. Pacific Islands pelagic longline, albacore trollers, and South Pacific tuna purse seine vessels are subject to this requirement as well as other domestic vessels fishing on the high seas, per 50 CFR Part 300, Subpart O. The identification numbers must meet size and color requirements specified in regulations in 50 CFR Part 300.

In the South Pacific tuna purse seine fishery regulated under 50 CFR Part 300 Subpart D, the IRCS number must be painted on the side of any auxiliary equipment such as skiffs and helicopters, in addition to markings on the sides of the hull or superstructure and weather deck.

The identification number provides law enforcement personnel with a means to monitor fishing, at-sea processing, and other related activities to ascertain whether the vessel's observed activities are in accordance with those authorized for that vessel. The identifying number is used by the National Marine Fisheries Service (NMFS), the U.S. Coast Guard (USCG), and other marine agencies in issuing citations, prosecutions, and other enforcement actions. Vessels that qualify for particular fisheries are readily identified which allows for more cost-effective enforcement. Cooperating fishermen also use the number to report suspicious activities that they observe. Regulation-compliant fishermen ultimately benefit as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

Gear Identification

Under 50 CFR 665.804, the operator of each federally permitted pelagic longline vessel must ensure that the official number of the vessel is affixed to every longline buoy and float, including each buoy and float that is attached to a radar reflector, radio antenna, or flag marker, whether attached to a deployed buoy or possessed on board the vessel. Vessels fishing in coral reef ecosystem fisheries under 50 CFR 665.128, 665.228, 665.246, 665.428, and 665.628 must mark traps and floats on board the vessel or deployed with the vessel's official number.

The regulations further specify how the gear is to be marked, e.g., the location and legibility of the marking. NMFS considers gear that is not properly marked as unclaimed or abandoned property that may be confiscated. NMFS, the USCG, and other enforcement agencies use the identifying number on fishing gear in issuing gear violations, prosecutions, and determining that longlines/traps are not illegally placed. Marked gear allows NMFS and the USCG to more readily enforce gear violations, thus allowing for more cost-effective enforcement. Cooperating fishermen also use the marking to report the

occurrence of gear in unauthorized areas. Regulation-compliant fishermen ultimately benefit as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

Although the information collected (vessel and gear identification numbers) is not confidential, NMFS will not disseminate it to the public, as there is no reason for doing so. The information is strictly for enforcement purpose or NMFS internal use in situations involving damage, loss, and civil proceedings.

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.

The requirement that each vessel display an identification number on its deckhouse or hull and its weather deck does not lend itself to collection of information technology. Transponders and vessel monitoring system units are comparatively expensive and USCG cannot directly access their signals in the air or by USCG vessels at this time. Similarly, gear identification does not lend itself to collection of information technology. No other technology appears to be less costly and still capable of providing the necessary information to support enforcement.

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

There is no duplication with other collections.

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

Most of the vessels are categorized as small businesses. The collection of information will not have a significant impact on these small businesses and no special modifications of the requirements were considered necessary to accommodate the needs of these small businesses. The markings are applied periodically as needed and are applied or renewed when it is convenient during vessel maintenance or between sets when gear are attended to by the crew, thus minimizing impact on fishing operations.

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.

The NMFS and USCG could not enforce the fisheries management measures if the collection is not conducted or is conducted less frequently. If the markings are not applied or renewed periodically as needed, they will become difficult for enforcement personnel to read and to identify the vessels. Unreadable markings on the gear will make it impossible for enforcement to determine the identity of violators.

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

No special circumstances require the collection to be conducted in a manner inconsistent with the OMB guidelines.

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 October 28, 2020 (85 FR 68305) solicited public comments. No comments were received.

In addition, NMFS solicited comments from members of the public, including affected fishermen, 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. We received two comments.

Comment 1 – A purse seine vessel owner told us that they did not see any issues with the continuation of the current requirements and thanked us for checking with them.

Response: We thanked the vessel owner for their comment.

Comment 2 – Western Pacific Fisheries Management Council staff thanked us for contacting them and told us they had no comments.

Response: We thanked the Council staff for their response.

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

No payments or gifts are provided.

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

There is no assurance of confidentiality provided. This is public information.

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 sensitive questions.

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

For pelagic longline vessels, South Pacific purse seiners, albacore trollers, and other large vessels, we assume that repainting of vessel markings would occur during maintenance or repair periods. We estimate that about half the fleet would do this annually. Smaller vessels may repaint once a year or less often. Longline buoy marking is usually done at sea as need arises, up to 3 times per year, depending on use. According to a vessel captain, this is usually done with a permanent marker when the crew has time to trace over the numbers on faded buoys.

Information Collection	Type of Respondent (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)	Mean Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Vessel ID Requirements		283		141		157		2,354.7
Hawaii longline vessel marking	Fisherman	150	0.5	75	1	75	\$15.07	\$1,130.25
American Samoa longline vessel marking	Fisherman	45	0.5	22	1	22	\$15.07	\$331.54
WP general longline vessel marking	Fisherman	4	0.5	2	1	2	\$15.07	\$30.14
PRIA troll & handline vessel marking	Fisherman	4	0.5	2	1	2	\$15.07	\$30.14
WP pelagic squid jig vessel marking	Fisherman	2	0.5	1	1	1	\$15.07	\$15.07
WP lobster vessel marking	Fisherman	5	0.5	2	0.75	1.5	\$15.07	\$22.61
WP deepwater shrimp vessel marking	Fisherman	5	0.5	2	0.75	1.5	\$15.07	\$22.61
WP bottomfish vessel 40 ft LOA or longer	Fisherman	2	0.5	1	0.75	0.75	\$15.07	\$11.30
WP precious coral vessel marking	Fisherman	1	1	1	0.75	0.75	\$15.07	\$11.30
WP coral reef ecosystem vessel marking	Fisherman	1	1	1	0.75	0.75	\$15.07	\$11.30
South Pacific Tuna Treaty purse seine vessel marking	Fisherman	40	0.5	20	2	40	\$15.07	\$602.80
Albacore troll vessel marking	Fisherman	20	0.5	10	0.75	7.5	\$15.07	\$113.02
Marine National Monument vessel marking	Fisherman	4	0.5	2	0.75	1.5	\$15.07	\$22.61
Gear ID Requirements		201		62,420		1,060		15,979.3
Hawaii longline gear marking	Fisherman	150	360	54,000	0.017	918	\$15.07	\$13,834.26
American Samoa longline gear marking	Fisherman	45	160	7,200	0.017	122	\$15.07	\$1,838.54
WP general longline gear marking	Fisherman	4	300	1,200	0.017	20	\$15.07	\$301.40
WP coral reef gear marking	Fisherman	2	5	20	.017	.34	\$15.07	\$5.12
Totals				62,561		1,217		\$18,334

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).

Vessel ID costs are estimated on per vessel, including cost of paint and supplies. In the case of gear markings, the cost of permanent markers, which are what they typically use to mark their buoys or floats.

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)
Vessel ID Requirements	283		141		31,250
Hawaii longline vessel marking	150	0.5	75	\$200	\$15,000
American Samoa longline vessel marking	45	0.5	22	\$200	\$4,400
WP general longline vessel marking	4	0.5	2	\$200	\$400
PRIA troll & handline vessel marking	4	0.5	2	\$200	\$400
WP pelagic squid jig vessel marking	2	0.5	1	\$200	\$200
WP lobster vessel marking	5	0.5	2	\$150	\$300
WP deepwater shrimp vessel marking	5	0.5	2	\$150	\$300
WP bottomfish vessel 40 ft LOA or longer	2	0.5	1	\$150	\$150
WP precious coral vessel marking	1	1	1	\$150	\$150
WP coral reef ecosystem vessel marking	1	1	1	\$150	\$150
South Pacific Tuna Treaty purse seine vessel marking	40	0.5	20	\$400	\$8,000
Albacore troll vessel marking	20	0.5	10	\$150	\$1,500
Marine National Monument vessel marking	4	0.5	2	\$150	\$300
Gear ID Requirements	201		62,420		6,242
Hawaii longline gear marking	150	360	54,000	\$0.10	\$5,400
American Samoa longline gear marking	45	160	7,200	\$0.10	\$720
WP general longline gear marking	4	300	1,200	\$0.10	\$120
WP coral reef gear marking	2	5	20	\$0.10	\$2
TOTALS			62,561		\$37,492

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.

No costs are incurred by the federal government for this information collection as the maintenance/preparation for this information collection is less than 1% of a federal employee's effort annually and there is no actual collection of information that must be processed by the federal government.

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

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

The reason for the difference in the number of responses and burden hours/costs is that they are calculated differently for the previous 2018 submission vs this submission. Previously, rough estimates of labor and material costs were made, and we did not document hours and salaries of each labor type. Instead, the costs were generalized. Now they are more specific. Second, vessel markings are seldom applied annually. They're likely to be applied during their periodic overhauls and shipyard work when the vessel gets repainted, which doesn't occur every year. We estimated that half of the respondents would do it in a year. Also, in speaking to a vessel owner about the longline buoy markings, he said that the crew reapplies them as needed due to wear and tear during downtime and in between sets and hauls. In other words, it's more frequent than once annually, but the effort is not separated from normal fishing operations and it takes only a few minutes per buoy. They also apply the markings with permanent markers, not paintbrushes. We earlier assumed that it was done annually by painting the numbers. The burden calculations were adjusted in response to this new information.

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	
Vessel ID Requirements	283	339	141	339	157	274	Changes to estimates of respondents and responses.
Gear ID requirements	201	230	62,420	24,890	1060	2,074	Changes to estimates of respondents and responses.
Total for Collection	484	569	62,561	25,229	1,217	2,348	
Difference	-85		37,332		-1,131		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Vessel ID Requirements	2,354.70	0	31,250	33,900	Change in template requiring changes to calculations.
Gear ID requirements	15,979.30	0	6,242	17,250	Change in template requiring changes to calculations.
Total for Collection	\$18,334	0	\$37,492	\$51,150	
Difference	\$18,334		-13,658		

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.

There are no plans for tabulation and publication.

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.

There are no forms or documents to display the expiration date on.

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