

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
National Saltwater Angler Registry and State Exemption Program
OMB Control No. 0648-0578

Abstract

This request is for extension of a currently approved information collection.

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 Saltwater Angler Registry and State Exemption Program (Registry Program) was established to implement recommendations included in the review of national saltwater angling data collection programs conducted by the National Research Council (NRC) in 2005/2006, and the provisions of the Magnuson-Stevens Reauthorization Act, codified at Section 401(g) of the [Magnuson-Stevens Fishery Conservation and Management Act](#) (MSA), which requires the Secretary of Commerce to establish a program to improve recreational fisheries surveys, including establishing a national saltwater angler and for-hire vessel registry, by January 1, 2009. A final rule to adopt regulatory measures to implement the Registry Program (Regulation Identifier Number (RIN) 0648-AW10) was published in the [Federal Register](#) on December 30, 2008, and became effective on January 29, 2009 ([50 CFR 600 Subpart P](#)).

The NRC review found that recreational survey approaches in use at the time of the review, which relied on random contacts with residents of coastal county households to collect marine recreational fishing effort data, resulted in significant survey over-coverage since relatively few households contain active anglers, and under-coverage since some anglers do not live in coastal counties or they live in coastal counties but do not have landline telephones. The review advised that over-coverage results in severe sampling inefficiency and that under-coverage may lead to serious bias in the resultant effort estimates since anglers from non-coastal counties are likely to have different effort characteristics than those from coastal counties. To resolve these problems, the NRC Panel recommended the development of, and subsequent sampling from, a comprehensive national saltwater angler register. Such a sampling frame could be developed either by implementing a federal registration requirement or by expanding current state saltwater licenses to include all saltwater anglers

In response to the NRC Panel's findings and recommendations, Congress passed MSA §401(g), which mandated the Secretary of Commerce to establish a program to: 1) improve the quality and accuracy of current estimates of marine recreational fishing catch and effort, 2) to do so in a manner that considers and, to the extent feasible, incorporates the NRC Panel's recommendations, and 3) to establish the program by January 1, 2009. The program was

established as the Marine Recreational Information Program (MRIP) upon adoption of the MRIP Implementation Plan in October, 2008. As part of MRIP, MSA §401(g)(1) requires the Secretary to implement a federal requirement for anglers and for-hire vessels to register, and to provide identification and contact information, if they fish in the U.S. Exclusive Economic Zone (EEZ), for Continental Shelf Resources beyond the EEZ or for anadromous fish (i.e., those fish such as salmon, sturgeon, striped bass and shad which migrate from ocean and coastal waters to estuaries and freshwater rivers to spawn) in any waters. Further, the Secretary is to exempt from the federal registration requirement those anglers and vessels that are licensed or registered by a state if the state provides sufficient identification and contact information for use in recreational surveys. The resultant federal Registry Program must address both the qualifications and procedures for exempting qualified states' anglers and vessels from the federal registration requirement (see A4 for more details) and the process for federal registration of anglers and vessels that are not exempted.

Accordingly, the Registry Program collects identification and contact information from those anglers and for-hire vessels who are involved in recreational fishing in the US EEZ or for anadromous fish in any waters, unless the anglers or vessels are exempted from the registration requirement. The data that will be collected will include: for anglers – name, address, date of birth, telephone contact information, e-mail address and region(s) of the country in which they fish; for for-hire vessels – owner and operator name, address, date of birth, telephone contact information, e-mail address, vessel name and registration/documentation number and home port or primary operating area. This information is compiled in a national and/or series of regional registries that are used to support surveys of recreational anglers and for-hire vessels to develop estimates of recreational angling effort.

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.

The data are used continuously by the National Marine Fisheries Service (NMFS), and those states and regional data collection partnerships that conduct surveys of marine recreational angling. Anglers and for-hire vessel operators are randomly selected from the registries and asked to provide information about recent fishing activity. The identification, date of birth and address information in the registry data base is used to identify the resultant survey record, and to eliminate duplicative registrations that could bias resultant survey data. In the Marine Recreational Information Program (MRIP) Fishing Effort Survey (FES), this information is matched to address samples selected from the U.S. Postal Service Delivery Sequence File (DSF), which enables differential sampling rates between matched (registered) and unmatched addresses and improves the efficiency of sampling. In the MRIP Fishing Effort Survey, licensed vessels are contacted by telephone to request information about recent fishing activity. The contact information in the registry database is utilized to make actual telephone or mail contact for the purpose of interviewing the anglers and for-hire vessel operators in these surveys. These survey-based data collection methods are described in separate information collection requests for the Marine Recreational Information Program Fishing Effort Survey and the For-Hire Telephone Survey, which have been previously described and approved pursuant to Office of Management and Budget (OMB) Control Nos. 0648-0652 and 0648-0709, respectively.

The registries are also being used for other OMB-approved angler surveys on a case-by-case basis. These include use as sample frames for OMB-approved social and economic surveys, for example the 2019 Angler Durable Good expenditure survey (nationwide), and the 2017 Angler Trip expenditure survey (nationwide). Such surveys are required pursuant to the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 and various fisheries regulations being considered or implemented. The surveys collect economic and socio-economic data to be used in fishery policy decisions (such as bag limits, size limits etc) to determine how anglers and related businesses will change their behavior as a result of the proposed policy and how those behavioral changes affect the local or national economy. National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS) retains control over the information and safeguards 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](#).

Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
1	Anglers submit name, address, DOB, telephone number and fishing location.	316 U.S.C. 1881.409-479	50 CFR 600, Subpart P	https://www.st.nmfs.noaa.gov/nnri/q_2011_intro.jsp	Used by NMFS to develop estimates of fishing effort in private boat and shore fishing modes.
Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
2	For hire fishing vessels owners or operators submit name, address, DOB, telephone number, vessel ID #, and fishing locations	16 U.S.C. 1881,409-479	50 CFR 600 Subpart P	https://www.st.nmfs.noaa.gov/nnri/forHireForm.jsp	Used by NMFS to develop estimates of fishing effort in for hire shore fishing modes

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.

Information on registering, and the site for electronic registration is at <https://www.countryfish.noaa.gov/register/>.

All Registry information is collected electronically. Anglers and for-hire vessel owners are able to register online only. A registration number is electronically provided and a registration card is available for downloading and printing by, and will be mailed to, the successful registrants.

The information that is collected via the Registry program will not be made available to the public via the Internet or any other means. Because the data to be collected is entirely personal identification, address and contact information, it is not appropriate to make this data available.

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 Registry program has been designed to prevent duplication of registration requirements. In order to serve the purpose of supplying identification and contact information for all anglers and for-hire vessels, it is only necessary for an angler or a for-hire vessel to submit that information to a single registry. If the information can be obtained from another source, the federal registration requirement can be waived.

Accordingly, if states can provide complete directories of anglers and/or for-hire vessels from their license or state registry data bases, the states can be granted Exempted State status under the Registry program, and their licensed or registered anglers and/or for-hire vessels are exempted from the federal registration requirement. Anglers who fish only on for-hire vessels are exempt, since the vessels themselves will be registered and surveyed. Also, any for-hire vessel that is required to obtain a NOAA license or permit via the NPS under other fishery management regulations is also exempt from the registry requirement, since the vessel information is in a NOAA database, and can be accessed and added to the registry directory. Similarly, individuals who hold NMFS-issued Highly Migratory Species Angling permits and Main Hawaiian Island Bottomfish permits are also exempt from the registration requirement.

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

The for-hire vessels that are required to register are small entities. Efforts utilized to minimize the burden on these entities include:

- a. minimizing the number of vessels that must register, by eliminating overlapping requirements as noted in response A4 above;
- b. limiting the information that must be submitted to the minimal identification, address and contact information required for a complete registry.

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 a complete, annual registry of saltwater anglers is not maintained, NMFS will not be able to effectively implement the FES. Absent an angler registry, the design feature of the FES that augments address samples with angler registry information would not be possible. This would reduce the efficiency of sampling and consequently increase the variability of survey estimates.

If a complete, annual registry of for-hire fishing vessels is not maintained, NMFS and its partners will not be able to contact vessel owners/operators to secure information about the number, location and timing of fishing trips made by anglers fishing on for-hire vessels, resulting in the inability to estimate catch for this large mode of saltwater fishing.

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

This information collection is conducted in a manner that is consistent with 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 was published on January 25, 2021 (FR 86:14, January 25, 2021, pp. 6875-6876), soliciting public comment. NMFS received a single comment:

Comment: "1204 people to be surveyed, mostly hobbists who have a lot of time on their hand, are the focus of this survey, which will cost millions to perform. the federal govgt cant take any survey without it costing millions of dollars. there is absolutely no call to do this program at this time. it is wasteful spending. it is planned by fat cat bureaucrats who want to raise your taxes to do nonsense work like this. the grade for this agencies work is f minus. it never things of keeping spending down. this comment is for teh public record. please receipt. jean publiee jeanpublic1@gmail.com"

Response:

- a. The program does not involve a substantial net cost to the federal government. Registrants are required to pay a registration fee into the general treasury equivalent to the agency's administrative cost.
- b. The program is non-discretionary. It is mandated by of 16 U.S.C. 1881.409.479.

Feedback on MRIP, including the Registry program and process, is continuously sought on the MRIP website. Since the previous renewal, we have received no feedback indicating the response times used in question 12 below are incorrect, nor feedback that addresses other unresolved issues NMFS intends to retain this feedback mechanism in the current, ongoing

website revision.

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

No payments or gifts to respondents are given under this program.

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

Registrants' responses will be kept confidential as required by section 402(b) of the Magnuson-Stevens and [NOAA Administrative Order 216-100](#), Confidentiality of Fisheries Statistics, and will not be released for public use except in aggregate statistical form without identification as to its source. Section 402(b) stipulates that data required to be submitted under an FMP shall be confidential and shall not be released except to Federal employees and Council staff responsible for FMP monitoring and development or when required under court order.

In addition, the information is subject to the provisions of the Privacy Act (5 U.S.C. 552a) in that the information collected is retrievable by identifiable individual. The Registry data is included in the Permits System of Records, for which a System of Records Notice was published in the [Federal Register](#) on September 15, 2015.

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. 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 sensitive questions are asked.

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

Recreational anglers: Pursuant to 50 CFR 600.1410, all states and U.S. territories except Hawaii, Puerto Rico and the U.S. Virgin Islands have executed Memoranda of Agreement with NOAA and have been designated as Exempted States. Anglers who are licensed or registered by Exempted States, or who are residents of Exempted States but are not required to be licensed or registered by such states, are not required to register with NOAA. Also, anglers who are fishing on a for-hire fishing vessel that is in compliance with applicable state and NMFS licensing and permitting requirements are not required to register with NOAA.

There are no anadromous fisheries in the state territorial waters of Hawaii, Puerto Rico and the U. S. Virgin Islands. Accordingly, anglers who fish on private (non-for-hire) vessels in the U.S. Exclusive Economic Zone (EEZ) adjacent to those states/territories are required to register with NOAA, unless those anglers have been licensed or registered by one of the exempted states.

Also, anglers who fish anywhere in the EEZ, or for anadromous species, and are required to be licensed or registered by their state of residence, but are not currently licensed or registered by one of the exempted states, are required to register with NOAA. For all of calendar year 2019, a total of 589 anglers were registered by NOAA.

Presumably, not all anglers who are required to register with NOAA actually do so at present. Outreach and compliance initiatives may result in increasing the number of registrants. Therefore, it is assumed that the number of potential registrants is double the number who registered in 2019, or 1178. Using this estimate of the number of anglers who would be required to register (not being part of other registries), the estimated potential burden hours are: estimated number of anglers: $1178 \times 3 \text{ minutes per registration} = 3,534 \text{ minutes} / 60 \text{ minutes} = 58.9 \text{ (60) hours}$.

For-hire vessels: Pursuant to 50 CFR 600 Subpart P, all states and U.S. territories have been designated as Exempted States for for-hire fishing vessels except Hawaii, Puerto Rico and the U.S. Virgin Islands. For-hire vessels that are licensed/registered by Exempted States or by NOAA Fisheries are not required to register with NOAA.

There are no anadromous fisheries in the state territorial waters of Hawaii, Puerto Rico and the U. S. Virgin Islands. Accordingly, only non-exempt for-hire vessels that fish in the EEZ adjacent to those states/territories are required to register with NOAA. In addition, non-exempt for-hire vessels that operate elsewhere in the EEZ, or fish for anadromous species, are required to register with NOAA. In 2019, the number of for-hire vessels that registered with NOAA was 13.

Presumably, not all for-hire vessels that are required to register with NOAA actually do so at present. Outreach and compliance initiatives may result in increasing the number of registrants. Therefore, it is assumed that the number of potential registrants is equal to double the number who registered in 2016, or 26. Using this estimate of the number of for-hire vessels that would be required to register, the estimated potential burden hours are: estimated number of vessels: $26 \times 3 \text{ minutes per registration} = 78 \text{ minutes} / 60 \text{ minutes} = 1.3 \text{ (1) hours}$.

Total responses: $1178 + 26 = 1204$. Total burden hours = $60 + 1 = 61$.

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents /year (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)
Registration of Anglers	Private angler	1178	1	1178	0.05	60	\$25.00	\$1500
Registration of For-Hire Vessels	For Hire Vessel Owner/Oper	26	1	26	0.05	1	\$25.25	\$25

	ator						
Totals			1204		61		\$1525.00

Wage rates from:

- For private anglers: \$25.00/hr. Assumed rate from private citizen labor used from previous renewals.
- For for-hire vessel owners/operators: \$25.25.00/hr. From BLS Wage Table data 45-1011, Fishing, Farming, and Forestry Occupations; **First-Line Supervisors of Farming, Fishing, and Forestry Workers** Ship and Boat Captains and Operators (Occupational Code 53-5020 in May 2019
- (https://www.bls.gov/oes/current/naics2_71.htm#53-0000).

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 are no capital costs for respondents. The only cost beyond the burden hour cost is the cost of the registration fee.

Since January 1, 2016, an annual registration fee of \$29.00 has been required for registration with NOAA. Total annual cost burden is therefore:

Anglers: 1178 registrants X \$29.00/registration = \$ 34,162

For-hire Vessels: 26 registrants X \$29.00/registration = \$ 754

Total = \$ 34,916.

There are no record keeping requirements or costs for respondents.

Information Collection	# of Respondents/year (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)
Registration of Anglers	1178	1	1178	\$29	34,162
Registration of For-Hire Vessels	26	1	26	\$29	\$754
TOTALS			1204	29	\$34,916

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 estimated 2021 annual cost to the Federal government is approximately \$32,678 divided as follows:

\$ 29,322 in contractual costs, \$1918 in personnel costs and \$1438 in distributed (indirect) costs.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
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Federal Oversight	ZP 04/03	\$157,709	0.1		\$1572
Other Federal Positions					
Leave Surcharge					\$346
Contractor Cost		\$29,322	N/A		\$29,322
Travel					
Other Costs:					\$1438
TOTAL					\$32,678

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

There are no changes to the information collection since the last OMB approval.

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	
Registration of Anglers	1,178	2,694	1,178	2,694	60	135	The number of registrants has declined since the previous renewal.
Registration of For-Hire Vessels	26	30	26	30	1	2	The number of registrants has declined since the previous renewal.
Total for Collection	1,204	2,724	1,204	2,724	61	137	
Difference	-1,520		-1,520		-76		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Registration of Anglers	\$1500	NA	\$34,162	78,126	
Registration of For-Hire Vessels	\$25	NA	\$754	870	
Total for Collection	\$1525.00	NA	\$34,916	\$78,996	
Difference	\$1,525		-44,080		

16. For collections whose results will be published, outline the 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.

Neither the angler nor the for-hire vessel registration data will be published.

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