

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**West Coast Region Gear Identification Requirements**  
**OMB Control No: 0648-0352**

**Abstract**

Federally-permitted vessels in the Pacific Coast Groundfish fishery are required to identify gear deployed by their vessels by displaying their gear/vessel number. The number is used by the National Oceanic Atmospheric Administration (NOAA), the U.S. Coast Guard (USCG) and other agencies for fishery enforcement activities.

**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.**

This request is for extension of the current collection for the West Coast Gear Identification Requirements.

Gear identification requirements are necessary to help ensure the success of fisheries management programs by facilitating fisheries law enforcement efforts. Gear marking is also valuable in actions concerning gear damage, loss, and civil proceedings. The ability to link fishing gear to the vessel owner or operator is crucial to enforcement of regulations issued under the authority of the [Magnuson Fishery Conservation and Management Act](#). Fixed-gear marking requirements are set forth in the regulations implementing the Pacific Coast Groundfish Fisheries Management Plan at 50 CFR [660.219](#) and [660.319](#). Gear-marking requirements specify that each type of fixed-gear must be marked with the owner's identifying number.

**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.**

The regulations specify that fishing gear must be marked with the vessel's official number, federal permit or tag number, or some other specified form of identification. Law enforcement personnel rely on this information to assure compliance with fisheries management regulations. Gear that is not properly identified is considered a violation of Federal regulations and is confiscated. The identifying marks on fishing gear is used by the National Marine Fisheries Service (NMFS), United States Coast Guard (USCG), and other marine agencies in issuing violations, prosecutions, and other enforcement actions. Gear marking also helps ensure that a vessel harvests fish only from its own traps/pots/other gear and that traps/pots/other gears are not illegally placed. Properly marked fishing gear facilitates prosecution of gear violations, and enhances cost-effective enforcement. Cooperating fishers also use the gear markings to report placement or occurrence of gear in unauthorized areas. Regulation-compliant fishermen

ultimately benefit, as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

The information collected will not be disseminated to the public; as it consists solely of identification on gear, it is not submitted to NMFS.

**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 fixed gear be marked with an identifying number does not lend itself to technology.

**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**

Existing Federal and State requirements have been reviewed to ensure that there is no duplication of requirements.

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

Although nearly all vessels in the respective fisheries are categorized as small businesses, the collection of information will not have a significant economic impact or burden on small businesses in terms of time and resources. Therefore, no special modifications of the requirements were considered necessary.

**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 would not be able to enforce the fishery management measures if the collection is not conducted or is conducted less frequently. The numbers must periodically be maintained to remain legible.

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

This collection is consistent 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 January 25, 2021 (86 FR 6873) solicited public comment. No comments were received.

NMFS reached out to several groundfish vessel captains participating in various affected fisheries in an effort 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. No responses were received.

**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 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.**

There is no assurance of confidentiality, as 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 is no information of a sensitive nature in this collection.

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

The estimated potential total number of vessels which require active gear markings and that have a reported landing utilizing a PacFIN data source is 942 vessels. There are three types of groundfish vessels which use the types of gear (longline, trap or pot, set net and stationary hook-and-line gear, including commercial vertical hook-and-line gear) that must be marked. Each vessel has a unique number of markings required because of variation in the gear, while some vessels participating in other gear types may not require active gear markings. Estimating the total number of marks in the fleet as 16,952 and 15 minutes per marking, the burden is estimated to be 4,238 hours (Table 1). NMFS Sustainable Fisheries Division (SFD) staff previously consulted with various groundfish vessel captains participating in various groundfish pot, longlin, midwater trawl, and bottom trawl fisheries, and determined that gear markings have a five-year life span. Therefore, the number of marks is annualized to 3,390 and 848 hours (Table 1).

Labor costs in the fishing industry are estimated at \$21.00 per hour utilizing labor estimates provided via United States Bureau of Labor Statistics *Occupational Outlook Handbook* (<https://www.bls.gov/bls/blswage.htm>) for the occupation title “painters, construction, and maintenance.”

**Table 1. Total Annual 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)
Open Access Longline Gear Markings	Painters, construction, maintenance	633	4	2,532	0.25	633	\$21	\$13,293
Open Access Vertical Hook and Line Gear Markings	Painters, construction, maintenance	34	1	34	0.25	8.5	\$21	\$178.50
Open Access Pot Gear Markings	Painters, construction, maintenance	109	2	218	0.25	54.5	\$21	\$1,144.50
Open Access Set Net Gear Markings	Painters, construction, maintenance	11	1.2	13	0.25	3.25	\$21	\$68.25
Limited Entry Longline Gear Markings	Painters, construction, maintenance	124	4	496	0.25	124	\$21	\$2,604
Limited Entry Pot Gear Markings	Painters, construction, maintenance	15	2	30	0.25	7.5	\$21	\$157.50
Limited Entry IFQ Gear Switching Gear Markings	Painters, construction, maintenance	16	4.2	67	0.25	16.75	\$21	\$351.75
<b>Totals</b>		<b>942</b>		<b>3,390</b>		<b>848</b>		<b>\$17,797.50</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).**

The materials needed are paint and a paintbrush, or permanent ink applicator, and possibly a stencil. With most traps or pots, marking is done by means of a commercially available plastic tag that is fastened to the trap/pot by thin strands of wire and this tag number identifies the owner of the trap/pot. NMFS Sustainable Fisheries Division (SFD) staff previously consulted with various groundfish vessel captains participating in various groundfish pot, longline, midwater trawl, bottom trawl fisheries, and determined that gear markings have a five-year life span.

**Table 2. Total Annual Cost Burden for Vessel Marking Materials**

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)
Open Access Longline Gear Markings Materials	633	4	2,532	0.25	633
Open Access Vertical Hook and Line Gear Markings Materials	34	1	34	0.25	8.5
Open Access Pot Gear Markings Materials	109	2	218	0.25	54.5
Open Access Set Net Gear Markings Materials	11	1.2	13	0.25	3.25
Limited Entry Longline Gear Markings Materials	124	4	496	0.25	124
Limited Entry Pot Gear Markings Materials	15	2	30	0.25	7.5
Limited Entry IFQ Gear Switching Gear Markings Materials	16	4.2	67	0.25	16.75
<b>TOTALS</b>	<b>942</b>		<b>3,390</b>		<b>848</b>

**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.**

There would be no Federal cost associated with this collection because marking verification would be included as part of other enforcement actions and no information is received to process.

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

**Adjustments:**

The estimated potential total number of vessels was updated to reflect most recent participation levels. These numbers were revised up slightly from previous estimates (Tables 3 and 4).

**Table 3. Explanation of Burden Hours Adjustments**

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	
Open Access Longline Gear Markings	633	300	2,532	1,200	633	300	Number of participants increased
Open Access Vertical Hook and Line Gear Markings	34	50	34	50	8.5	12.6	Number of participants decreased

Open Access Pot Gear Markings	109	200	218	400	54.5	100	Number of participants decreased
Open Access Set Net Gear Markings	11	15	13	18	3.25	4.6	Number of participants decreased
Limited Entry Longline Gear Markings	124	201	496	804	124	201	Number of participants decreased
Limited Entry Pot Gear Markings	15	32	30	64	7.5	16	Number of participants decreased
Limited Entry IFQ Gear Switching Gear Markings	16	13	67	52	16.75	13	Number of participants increased
<b>Total for Collection</b>	<b>942</b>	<b>811</b>	<b>3,390</b>	<b>2,588</b>	<b>848</b>	<b>647</b>	
<b>Difference</b>	131		802		201		

**Table 4. Explanation of Costs Adjustments**

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Open Access Longline Gear Markings	\$13,293	\$6,300	633	300	Number of participants increased
Open Access Vertical Hook and Line Gear Markings	\$178.50	\$264.60	8.5	12.6	Number of participants decreased
Open Access Pot Gear Markings	\$1,144.50	\$2,100	54.5	100	Number of participants decreased
Open Access Set Net Gear Markings	\$68.25	\$96.60	3.25	4.6	Number of participants decreased
Limited Entry Longline Gear Markings	\$2,604	\$4,221	124	201	Number of participants decreased
Limited Entry Pot Gear Markings	\$157.50	\$336	7.5	16	Number of participants decreased
Limited Entry IFQ Gear Switching Gear Markings	\$351.75	\$273	16.75	13	Number of participants increased
<b>Total for Collection</b>	<b>\$17,798</b>	<b>\$13,591</b>	<b>848</b>	<b>647</b>	
<b>Difference</b>	\$4,207		\$201		

**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.**

No results are published.

**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.**

Not applicable.

**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\(b\)\(3\)](#)