

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Western and Central Pacific Fisheries Convention Vessel Information Family of Forms
OMB Control No. 0648-0595

Abstract

This request is for an extension of a current information collection. In addition, the National Marine Fisheries Service (NMFS) is promulgating a rule (RIN 0648-BI79) to implement a decision of the Commission on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC or the Commission) that would affect this collection. Due to the timing of the rulemaking and the timing of the renewal of the collection of information, OMB Control Number 0648-0595, Western and Central Pacific Fisheries Convention Vessel Information Family of Forms, NMFS submitted a request for creation of a temporary collection in August 2021. The temporary collection focuses on the rulemaking, which expands the International Maritime Organization (IMO) number requirements included in this collection to smaller vessels. The temporary collection will later be merged with this collection upon publication of the final rule for RIN 0648-BI79 and the burden for 0648-0595 would be updated accordingly.

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 Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 *et seq.*; WCPFCIA), gives the Secretary of Commerce the authority to enact regulations to fulfill the requirement under the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention) that all member States maintain and provide to the Commission a list of vessels flagged by the member State and (1) authorized by the member State to be used for fishing for highly migratory fish stocks (HMS) on the high seas in the WCPFC Area, or (2) authorized by other States to be used for fishing for HMS in their areas of jurisdiction in the WCPFC Area, and to maintain and provide for each vessel on that list certain information on its characteristics and its owner and operator.

Vessels in the first category already provide most of the required information under existing laws and regulations. All such vessels must be documented by the United States Coast Guard (USCG) or be state-registered and must hold a valid High Seas Fishing Permit (issued under the authority of the [High Seas Fishing Compliance Act](#) (HSFCA)). Under these existing documentation/registration and permitting requirements, the vessel owner or operator must comply with information collection requirements that fulfill most of the needs under the WCPFCIA. This information collection requirement serves to collect the few pieces of information required under the WCPFCIA that are not already collected via existing mechanisms, and a form customized for this category of vessels is used.

Vessels in the second category already provide information as part of the USCG documentation or State registration processes, but such vessels do not need to hold High Seas Fishing Permits (unless they also fish on the high seas), so they will not necessarily be submitting the information collected via that permitting process. This information collection requirement serves to collect the pieces of information required under the WCPFCIA that are not already collected via existing mechanisms, and a form customized for this category of vessels is used.

Under a 2013 Commission decision, an additional piece of information that the United States must provide to the Commission for both categories of vessels (but only for those whose tonnage is at least 100 gross register tons (GRT) or 100 gross tons (GT)) is the vessel's IMO number. An IMO number, also known as an IMO ship identification number, is a unique number issued for a ship or vessel under the ship identification number scheme established by the International Maritime Organization. Once issued, an IMO number will remain with the vessel for its life, regardless of changes to the vessel's name, flag, ownership, or other attributes. This information collection requirement serves to collect information based on a decision of the Commission made under Conservation and Management Measure (CMM) 2013-10, which requires each member of the Commission to ensure that IMO numbers are issued for the two above listed categories of vessels. To satisfy this WCPFC requirement, NMFS requires that the owner of each subject vessel request and obtain an IMO number, which they can do by submitting certain information about the vessel and its ownership and management to the administrator of the IMO ship identification number scheme, which is a private third party not associated with the United States government or any other government. Although NMFS does not collect this information directly, the requirement to submit the information to the third party is covered by this information collection.

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 information is used by NMFS, the USGC, and the Commission to monitor the size and composition of the HMS fleets in the WCPFC Area for compliance-related and scientific purposes. Knowing such information as the number of vessels, the specifics of the vessels and their ownership, and the types of gear employed enables effective monitoring of vessel activity for enforcement and assessment purposes.

The frequency of this collection of information, with the exception of obtaining an IMO number, is the same as the frequency of collection used for High Seas Fishing Permit applications, currently once every five years (the overall collection is continuous; the collection frequency from the perspective of the vessel owner/operator will be once every five years). The information required for a vessel to obtain an IMO number is a one-time collection.

Owners or operators of vessels in the first category (see response to Question 1) are required to provide the information specified in an application for a *WCPFC Area Endorsement*, which is a fishing authorization that is issued supplemental to, and as an endorsement on, the High Seas Fishing Permits issued under the HSFCA. The information collected on this application includes the following:

- a) USCG documentation number or State registration number and vessel name;
- b) Total fish hold capacity;
- c) International radio call sign;
- d) Refrigeration/freezer types, number of units, and refrigeration/freezer capacity;
- e) Fishing methods used;
- f) Vessel operator information: name and country of citizenship;
- g) Vessel communication types and numbers (Inmarsat mobile unit numbers and satellite telephone number);
- h) Color photograph of vessel and date of photograph; and
- i) Signature of vessel owner or operator and date of signature.

Owners or operators in the second category will be required to provide the information specified in the form *Information Required for U.S. Vessels Used for Commercial Fishing for Highly Migratory Species in the Western and Central Pacific Fisheries Convention Area in Areas under the Jurisdiction of any Nation other than the United States* (hereafter, *Foreign EEZ Form*), available on our Web site (see Question 3). The information collected on this form will include the following:

- a) USCG documentation number or State registration number and vessel name;
- b) International Radio Call Sign;
- c) Indication of whether or not a High Seas Fishing Permit or a WCPFC Area Endorsement for the vessel has been issued or applied for;
- d) Total fish hold capacity;
- e) Crew size (including officers);
- f) Shaft horsepower;
- g) Refrigeration/freezer types, numbers of units, and refrigeration/freezer capacity;
- h) Fishing methods used;
- i) Fishing vessel type;
- j) Vessel communication types and numbers (Inmarsat mobile unit numbers, and satellite telephone number);
- k) Vessel ownership information: corporate/individual name(s), incorporation date, address(es), and telephone and fax numbers;
- l) Vessel operator information: name and country of citizenship;
- m) Previous vessel flags and names (if flagged under other nations, for each flag: nation, period flagged, name of vessel, international radio call sign, and homeport);
- n) Authorization-to-fish information: for each authorization issued by another nation: name of issuing nation, name of issuing authority and authorization, activities authorized, species for which fishing is authorized, areas in which the vessel is authorized to fish, period of validity, and authorization number/identifier;
- o) Color photograph of vessel and date of photograph; and
- p) Signature of vessel owner or operator and date of signature.

Owners and operators of vessels in both categories are required to provide information specified by the administrator of the IMO ship identification number scheme. The current administrator is IHS Maritime. Instructions on how to apply for an IMO number are available at: <https://imonumbers.lrfairplay.com>. The required information includes but is not limited to:

- a) Current ship name/shipyard ID
- b) Original name
- c) Flag
- d) Fishing number
- e) Gross and net tonnage
- f) Overall length
- g) Shipbuilder
- h) Place of build
- i) Hull number
- j) Registered owner and owner address
- k) Manager and manager address
- l) Company name
- m) Contact name
- n) Sender's email

For those elements of this information collection that are collected by NMFS, up to the point of submitting the information to the Commission, sharing it with other U.S. agencies such as the USCG, or disseminating it to the public, NMFS retains control and safeguards it from improper access, modification, and destruction consistent with NOAA policies. None of the collected information is considered to be confidential or protected by NMFS as such. Once submitted to the Commission, the Commission will maintain and control access to the information in accordance with its *Rules and Procedures for the Protection of, Access to, and Dissemination of Data Compiled by the Commission*. According to those rules and procedures, the information will be treated as public domain data; that is, it will not be treated as confidential or protected as such. Most or all of the information will be disseminated by the Commission to the public via the Commission's public website. It will be disseminated in close to its original form.

The information provided in applications for IMO numbers is used by the administrator of the IMO ship identification number scheme to generate an IMO number for the vessel that is unique and stays with the vessel. The administrator makes the IMO number publicly available and also uses the data in its commercial products, such as directories of vessels.

The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information collected by NMFS 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.

The website for the Pacific Islands Regional Office of NMFS at <http://www.fpir.noaa.gov> is used to inform the public about the collection of information necessary to comply with management program requirements. The required forms and instructions for the *WCPFC Area Endorsement* and *Foreign EEZ Form* are available online for downloading, filling and mailing, at the same

website. An option may be developed to allow for online renewal of these two forms in the future. Required forms and instructions to obtain an IMO number are available and may be submitted online at <https://imonumbers.lrfairplay.com>.

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

As mentioned in Question 1, some of the vessel information required under the WCPFCIA is collected via the HSFCA, by the USCG and by the third party administrator of the IMO ship identification number scheme. The forms used for the *WCPFC Area Endorsement* and the *Foreign EEZ Form*, described in Question 2, are designed to avoid duplication: only information not already collected under existing mechanisms is collected. In addition to the two forms customized for each of the two categories of vessels, owners/operators of vessels in the second category are required to submit only those pieces of information specified on the *Foreign EEZ Form* that they have not provided on applications for a High Seas Fishing Permit and a WCPFC Area Endorsement (which some but not all are expected to apply for). The form used to collect information necessary to apply for an IMO number is specified by the third party administrator of the IMO ship number identification scheme, and the information is not collected by NMFS. NOAA and NMFS have no control over the information that is required to obtain an IMO number and so it is possible that information submitted for that purpose duplicates information submitted to NMFS for other purposes.

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

All fishing operations subject to this collection of information, with the possible exception of a few large-scale tuna purse seine, carrier, and bunker vessel operations, are small businesses. However, all of the data collected have been deemed necessary by the Contracting Parties to the Convention, including the United States, and the reporting burden is very minor relative to the overall cost of fishing. As described in Questions 1, 3 and 4, efforts have been made to rely on existing information collection mechanisms as much as possible.

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 the information is not collected, the U.S. government will not meet its obligations as a Contracting Party to the Convention and a member of the Commission, and would consequently fail to fulfill the provisions of the WCPFCIA. The lack of collected data from the U.S. HMS fleets operating in the WCPFC Area would provide a disincentive to the other fishing nations in the region to provide to the Commission vessel data for their fleets. The effective management of the fishery resources under the WCPFC would consequently be compromised.

As described in Question 2, the information included in both the *WCPFC Area Endorsement* application and *Foreign EEZ form* is collected once every five years, in part to keep this collection in synchrony with the related collection under the HSFCA. Collecting the information

less frequently would be administratively awkward and possibly less efficient for both the government and the respondents. It would probably also result in less reliable data, as they would be updated less frequently. The information collected to obtain an IMO number is a one-time collection.

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

The collection is consistent with Office of Management and Budget (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 notice for the extension of the information was published in the *Federal Register* on April 21, 2021 (see 86 FR 20665). Comments were from the public on (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency; (b) the accuracy of the agency's estimate of burden; (c) ways to enhance utility and clarity of information; and (d) ways to minimize the burden of collection. The comment deadline was June 21, 2021, and no comments were received.

NMFS sought and received feedback from representatives of all three of the main fishing fleets subject to this information collection, particularly regarding the accuracy of estimated burdens. Responses were received from one stakeholder, expressing agreement with NMFS' estimate of burdens and noting the ease of filling out the WCPFC Area Endorsement. NMFS has determined that because the burden is an average estimate, and that the time may vary depending on who is filling out the forms, and the supportive input from the stakeholder, no changes are needed to the information collection in response to comments.

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

No payment or gifts to respondents will be 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.

No assurance of confidentiality will be provided to respondents.

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.

No questions of a sensitive nature will be asked.

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

| 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) |
|--|---|----------------------|--|---|---------------------------|---|--|--|
| WCPFC Area Endorsement Form | 45-1011 | 202 | 0.2 | 40.4 | 1 | 40.4 | 24.42 | 986.568 |
| Foreign EEZ Form | 45-1011 | 21 | 0.048 | 1 | 1.5 | 1.5 | 24.42 | 36.63 |
| Request for IMO Ship Identification Number | 45-1011 | 2 | 1 | 2 | 0.5 | 1 | 24.42 | 24.42 |
| Totals | | | | 43.4 | | 42.9 | | 1047.618 |

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).

| 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) |
|--|----------------------|--|---|------------------------------|--|
| WCPFC Area Endorsement | 202 | 0.2 | 40.4 | 59 | 2,384 |
| Foreign EEZ Form | 21 | 0.047619048 | 1 | 1 | 1 |
| Request for IMO Ship Identification Number | 2 | 1 | 2 | 1 | 2 |
| TOTALS | | | 43 | | 2,387 |

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.

| Cost Descriptions | Grade/Step | Loaded Salary /Cost | % of Effort | Fringe (if Applicable) | Total Cost to Government |
|-------------------|------------|---------------------|-------------|------------------------|--------------------------|
| Federal Oversight | | | | | |

| | | | | | |
|--|---------|--------|--------|--|-----------|
| Process WCPFC AE and FEEZ forms | ZA03-02 | 89,404 | 0.958 | | \$ 856 |
| Review WCPFC AE and FEEZ form | ZP03-03 | 99,740 | 0.1579 | | \$ 157 |
| Communications in extraordinary circumstances when IMO Ship Identification Number is unable to be procured | ZP03-03 | 99,740 | 0.2 | | \$ 199.48 |
| TOTAL | | | | | \$ 1,213 |

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

| 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 | |
| WCPFC Area Endorsement Form | 202 | 222 | 40.4 | 44 | 40.4 | 44 | Decrease in expected number of purse seine vessels resulted in change to number of respondents. |
| Foreign EEZ Form | 21 | 43 | 1 | 9 | 2 | 13 | Decrease in expected number of purse seine vessels resulted in change to number of respondents. Additionally, expected number of longline respondents was decreased, as submissions from LL vessels were rare historically. |
| Request for IMO Ship Identification Number | 2 | 2 | 2 | 2 | 1 | 1 | no change |
| Total for Collection | 225 | 267 | 42 | 54 | 43 | 58 | |
| Difference | -42 | | -12 | | -15 | | |

| | | | |
|------------------------|-------------|---------------------|----------------------|
| Information Collection | Labor Costs | Miscellaneous Costs | Reason for change or |
|------------------------|-------------|---------------------|----------------------|

| | Current | Previous | Current | Previous | adjustment |
|--|--------------|-------------|--------------|--------------|---|
| WCPFC Area Endorsement Form | 986.568 | 1084.25 | 2,384 | 2,420 | Decrease in expected number of purse seine vessels resulted in change to number of respondents. |
| Foreign EEZ Form | 36.63 | 36.63 | 1 | 9 | no change |
| Request for IMO Ship Identification Number | 24.42 | 24.42 | 2 | 2 | no change |
| Total for Collection | 1,048 | 1145 | 2,387 | 2,431 | |
| Difference | | -97 | | -44 | |

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.

As described in Question 2, the data will be made publicly available on the Commission website, along with similar data from other Commission members, in a searchable and downloadable online database. No information collected is specifically intended for formal scientific publication at this time, but it might be used for such purposes by NMFS or other parties. In addition to using the information in its raw format for day-to-day management purposes, NMFS, the USCG, and the Commission may also use the data (primarily in aggregated, summarized, and synthesized format) for informal publications such as technical papers and reports.

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 for OMB approval of the information collection will be displayed on all forms, except for the form for requesting an IMO number. The form used to collection information necessary to apply for an IMO number is specified by the third party administrator of the IMP ship number identification scheme, and the information is not collected by NMFS.

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\(b\)\(3\)](#).”