

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Permit and Reporting Requirements for Non-Commercial Fishing
in the Rose Atoll, Marianas Trench, and Pacific Remote Islands
Marine National Monuments (MANM)
OMB Control No. 0648-0664

Abstract

This request is for extension of a currently approved information collection. The owner and the operator of a vessel fishing non-commercially or conducting recreational charter fishing in the Rose Atoll Marine National Monument, Pacific Remote Islands Marine National Monument, or in the Islands Unit of the Marianas Trench Marine Marine National Monument, must obtain a fishing permit issued by the National Marine Fisheries Service (NMFS). The vessel operator must also submit a NMFS logsheet report after the conclusion of every fishing trip.

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.

NOAA's National Marine Fisheries Service (NMFS) manages non-commercial fishing activities in the Rose Atoll, Marianas Trench, and Pacific Remote Islands Marine National Monuments. Regulations at [50 CFR Part 665](#) require the owner and operator of a vessel used to non-commercially fish for, take, retain, or possess any management unit species in these monuments to hold a valid permit issued by NMFS.

Regulations also require the owner and operator of a vessel that is chartered to fish recreationally for, take, retain, or possess, any management unit species in these Monuments to hold a valid permit issued by NMFS. The fishing vessel must be registered to the permit. The charter business must be established legally in the permit area where it will operate. Charter vessel clients are not required to have a permit.

The permit application collects basic information about the permit applicant, type of operation, vessel, and permit area. NMFS uses this information to confirm the identity of the applicant and determine permit eligibility. The information is important for understanding the nature of the fishery and its participants. It also aids in the enforcement of fishing regulations within the Monuments.

Regulations also require the vessel operator to report a complete record of catch, effort, and other data on a NMFS log sheet. The vessel operator must record all requested information on the log sheet within 24 hours of the completion of each fishing day. The vessel operator also must sign, date, and submit the form to NMFS within 30 days of the end of each fishing trip. NMFS uses the information provided in the log sheets to monitor fishing activities, evaluate and assess the status of fish stocks and determine whether changes in management are needed to sustain the productivity of the fishery and conserve marine resources.

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.

Permits

NMFS collects information about applicants and their vessels on permit applications. Once issued, permits are valid for one year. Information from the permit application allows NMFS to confirm the identity of the applicant, and to determine whether the applicant qualifies for the permit. NMFS uses vessel information, such as documentation or registration, ownership, managing ownership, etc., to determine whether the applicant is an owner of a U.S. documented/registered vessel. NMFS may provide information to NOAA Office of Law Enforcement (OLE), the U.S. Coast Guard (USCG), and the Western Pacific Fishery Management Council (Council). NMFS will not disseminate private information to the public, and information will be reported only in non-confidential or aggregate form.

Daily Fishing Log

Vessel operators fishing non-commercially in the Monuments must submit a completed Marine National Monument Daily Fishing Log to NMFS for each day fished within 30 days of the completion of a Monument fishing trip. The log sheets provide the information that NMFS and the Council need to monitor fishing, and evaluate and assess the status of stocks and dependent fisheries. NMFS and the Council use the information to determine whether changes in management are needed to sustain the productivity of the stocks or to address economic issues. Without the information, NMFS and the Council would be unable to determine whether the Monument management program is achieving the objectives of Fishery Ecosystem Plans (FEP) and the Magnuson-Stevens Act. Information from the catch reports is used by fishery and enforcement officials of NMFS, USCG, American Samoa, Guam, and Commonwealth of Northern Mariana Islands (CNMI) to monitor compliance with fishing requirements.

NMFS aggregates and/or summarizes any publicly disseminated information to maintain the confidentiality of the information pertaining to the individual vessels. NMFS retains control over the information and safeguard it from improper release, access, modification, and destruction, consistent with Federal law and regulations, and NOAA policies 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. The information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#) prior to dissemination.

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.

Permit information will be collected on fillable PDF application forms available online at <https://www.fisheries.noaa.gov/pacific-islands/resources-fishing/pacific-islands-fishing-permits>. Permit applications will be submitted electronically via secure email (<https://www.fisheries.noaa.gov/pacific-islands/commercial-fishing/apply-pacific-islands-fishing-permit>) to the Pacific Islands Regional Office. Reports will be submitted on paper forms

via mail or dropbox to the Pacific Islands Fisheries Science Center.

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 single comprehensive permit or catch reporting requirement for non-commercial fishing activities in American Samoa (Rose Atoll) or Guam and CNMI (Marianas Trench). In both islands areas, NMFS currently requires permit and reporting for only certain species (e.g., lobsters), gear types (e.g., longline) or sectors (e.g., commercial). The information collection for non-commercial fishing in the Monuments replaces any other reporting requirements that apply within federal waters of the Rose Atoll Monument and the Islands Unit of the Marianas Trench Monument to ensure comprehensive and non-duplicative permits and reporting for non-commercial fishing.

In the Pacific Remote Island Areas (PRIA), NMFS requires permits and catch reporting for all federally-managed fisheries, and will continue to rely on existing permits and catch reporting, previously approved by OMB under OMB Control Nos. 0648-0490 and 0648-0214. However, Proclamation 8336, establishing the Pacific Remote Islands Monument, provides for recreational fishing, including passenger-for-hire charter fishing, a type of fishing activity that was not included under the PRIA FEP and existing collection requirements. For this reason, a non-commercial fishing permit, including recreational charter and non-commercial individual fishing vessel catch reporting was implemented.

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

Most charter boat vessels are small businesses, based upon Small Business Administration criteria that their annual gross revenue, from all sources, does not exceed \$11 million. Regardless, the minimum information necessary is required, and the means of reporting outlined below will minimize certain aspects of the burden.

Permits

Federal Monument fishing permit applications are available online at <https://www.fisheries.noaa.gov/pacific-islands/resources-fishing/pacific-islands-fishing-permits>. Applications may be downloaded, printed, signed, and then securely emailed to NMFS. Permits will be issued by NMFS and delivered via email as PDFs.

Daily Fishing Logs

NMFS will provide blank logbook report forms and instructions via U.S. mail or at Honolulu Service Center, whichever is more convenient for permit holders. Fishermen may contact the Pacific Islands Fisheries Science Center in Honolulu by email or phone for help in completing the Monument log sheets.

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.

Permits

Without this collection, or if it is collected less frequently than proposed, NMFS will be unable to properly evaluate eligibility to participate in non-commercial fisheries in the Monuments. It will be difficult to monitor the fisheries and their participants, determine entry and exit patterns, and provide information needed to ensure full impact analysis for fisheries management programs. Without this information, enforcement agents will not be able to identify fishermen for compliance monitoring, and NMFS would be unable to consult with permit holders on regulatory changes.

Daily Fishing Logs

Catch reporting is needed to get an accurate count of the effort level and amount of harvest, occurring in the Monuments and to ensure that fishing is sustainable as required by the Presidential Proclamations.

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

Vessel operators fishing non-commercially in the Monuments must submit a completed Marine National Monument Daily Fishing Log to NMFS for each day fished within 30 days of the completion of a Monument fishing trip, which could be requiring the respondent to report information more often than quarterly. The log sheets provide the information that NMFS and the Council need to monitor fishing, and evaluate and assess the status of stocks and dependent fisheries. NMFS and the Council use the information to determine whether changes in management are needed to sustain the productivity of the stocks or to address economic issues. Without the information, NMFS and the Council would be unable to determine whether the Monument management program is achieving the objectives of Fishery Ecosystem Plans (FEP) and the Magnuson-Stevens Act. Information from the catch reports is used by fishery and enforcement officials of NMFS, USCG, American Samoa, Guam, and Commonwealth of Northern Mariana Islands (CNMI) to monitor compliance with fishing requirements.

All other aspects of this collection will be 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 published on March 29, 2022 (87 FR 17994) solicited public comments. No public comments were received.

The notice was sent to representatives of the Western Pacific Fishery Management Council, state and territorial government offices, and other Federal agencies 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. The Pacific Islands Office of Law Enforcement responded and had no comment. No other comments 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.

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.

As stated on the forms, under Section 402(b) of the Magnuson-Stevens Act and [NOAA Administrative Order 216-100](#), information submitted in accordance with regulatory requirements under the Act is confidential. This includes personal and proprietary information contained in the permits and catch reports.

This information collection is included in a comprehensive NMFS Permits and Registrations System of Records Notice (SORN), [COMMERCE/NOAA #19](#), Permits and Registrations for United States Federally Regulated Fisheries, effective on August 25, 2020.

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.

NMFS does not ask questions of a sensitive nature.

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

Used salary rates at https://www.bls.gov/oes/current/oes_hi.htm#45-0000 for Hawaii.

Permits

NMFS estimates up to 15 permits annually, with 5 fishing permit applications each for the Rose Atoll, Marianas Islands Unit, and the Pacific Remote Islands Monument. At this time, NMFS cannot estimate what portion of applications will be businesses, including small businesses versus individuals/households. NMFS estimates that each of the applicants are expected to spend 15 minutes completing the application for a maximum information collection burden of 3.75 hours per year.

Daily Fishing Logs

NMFS estimates the time requirement for completing Federal log sheets to be approximately 20 minutes per daily log. Assuming 15 permit holders take one trip per year to the Monument, and each fishing trip lasts three days, the program would generate up to 45 reports (15 trips x 3 days) annually. Thus, the total collection of information burden estimate for catch reporting (based on 45 reports at 20 minutes each) is 4.85 hours per year.

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)
Marine National Monument Fishing Permit application	Vessel owner	15	1	15	0.25	3.75	\$31.59	\$118.46
Marine National Monument Daily Fishing Log	Vessel operator	15	3	45	0.33	14.85	\$19.75	\$293.29
Totals				60		18.6		\$411.75

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 start-up capital cost for complying with this requirement. Permit applicants may submit applications via secure email. Permit holders may use paper forms provided by NMFS for daily logs. Based on an annual estimate of 45 daily logs, the maximum estimated cost to respondents for postage related to this collection is \$26.10 per year.

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)
Marine National Monument Permit application	15	1	15	0	0
Marine National Monument Daily Log	15	3	45	0.58	\$26.10
TOTALS			60		\$26.10

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.

Permits

The estimated annual cost to the Federal government to administer this information collection is up to \$4,987.02.

Daily Fishing Logs

The estimated annual cost to the Federal government to administer this information collection is up to \$14,935.18. This includes the cost of printing blank daily catch report forms of \$22.50 (based on 45 forms x \$0.50 per form), and processing of forms of \$14,957.68.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	ZA-03-01	\$74,931.50	5		\$3,746.58
Other Positions	ZS-04-03	\$62,651.50	5		\$3,132.58
	ZP-03-03	\$99,740.50	5		\$4,987.02
	ZA-03-03	\$99,740.50	5		\$4,987.02
Contractor Cost		\$61,380.00	5	n/a	\$3,069.00
Travel					n/a
Other Costs					n/a
Printing Costs					\$22.50
TOTAL					\$19,944.70

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.

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	
Marine National Monument Fishing Permit application	15	25	15	25	3.75	6.25	Respondents reduced due to low activity.
Marine National Monument Daily Fishing Log	15	25	45	75	14.85	25	Respondents reduced due to low activity. Same respondents as above.
Total for Collection	15	25	60	100	19	31	
Difference	-10		-40		-12		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Marine National Monument Fishing Permit application	\$118.46	N/A	\$0	\$50	Labor costs are new for this submission. Misc. costs were reduced because electronic submission was implemented, eliminating the postage and copying costs.
Marine National Monument Daily Fishing Log	\$293.29	N/A	\$26.10	\$150	Labor costs are new for this submission. Misc. costs were reduced because of fewer responses and represent postage costs only. Copy charges have been removed as it is expected that records are now maintained electronically.
Total for Collection	\$411.75	N/A	\$26	\$200	
Difference	\$411.75		-174		

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 formal scientific publications based on these collections are planned at this time. NMFS and the Council will use the information (primarily in an aggregated, non-confidential format) for developing management reports and fishery management plan amendments and evaluations. Subsequent use of the data collected over a series of years may include scientific papers and publications.

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 will be displayed on all forms.

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