

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Economic Surveys of the Commercial and Charter Harvesting Sectors of Federally**  
**Managed Fisheries**  
**OMB Control No. 0648-NEW**

**Abstract**

This request is for a new hybrid-generic clearance for economic information collections (i.e., surveys) for the commercial and charter harvesting sectors of federally managed fisheries. Once approved, this clearance will allow the National Oceanic & Atmospheric Administration's National Marine Fisheries Service (NMFS or NOAA Fisheries) to:

1. Conduct charter harvesting sector surveys similar to those it had conducted under previously approved but now discontinued collections;
2. As needed, conduct under the hybrid-generic clearance, commercial sector surveys currently approved under OMB Control Number 0648-0773; and
3. Conduct additional commercial and/or charter harvesting sector surveys.

Under the requested clearance, the Office of Management and Budget (OMB) could approve an individual survey at the end of a 45-day review process, which includes a 30-day Federal Register Notice public comment period and an OMB review of an abbreviated information collection request (i.e., a mini-ICR) for that survey. Parts A and B of the supporting statement and the template for the mini-ICRs describe the information NMFS would provide in the mini-ICRs.

The requested hybrid-generic clearance is for information from the commercial and charter harvesting sectors. That information includes different components of operating costs/expenditures, earnings, employment, ownership, vessel characteristics, effort/gear descriptors, and demographic information. NMFS or its contractors would collect that information principally from the owners and operators of fishing vessels that participated in the commercial and/or charter harvesting sectors, where the vessels that participated in the charter harvesting sector include guide boats, 6-pack boats, charter boats, commercial passenger fishing vessels, and party/head boats.

NMFS and Regional Fishery Management Council economists would use these data to monitor, explain and predict changes in the economic performance and impacts of federally managed fisheries. Those uses of the data would allow more than cursory efforts to comply with or support a variety of laws (e.g., the Magnuson-Stevens Fishery Conservation and Management Act), Executive Orders (EOs), and NOAA policies and strategies. In addition, those uses of the data would contribute to a well-informed, science-based fisheries conservation and management decisions making process, which should increase the net benefits to the Nation.

## 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 Oceanic & Atmospheric Administration's National Marine Fisheries Service (NMFS or NOAA Fisheries) has conservation and management responsibilities for many living marine resources and their habitat. NMFS and Regional Fishery Management Council economist would use the data provided by the proposed information collections (i.e., surveys) to monitor, explain and predict changes in the economic performance and impacts of federally managed fisheries. Those uses of the data would allow more than cursory efforts to comply with or support the 14 laws, Executive Orders (EOs), and NOAA policies and strategies listed below. In addition, those uses of the data would contribute to a well-informed, science-based fisheries conservation and management decisions making process, which should increase the net benefits to the Nation.

1. [Magnuson-Stevens Fishery Conservation and Management Act \(MSA\)](#)
2. [Marine Mammal Protection Act \(MMPA\)](#)
3. [Endangered Species Act \(ESA\)](#)
4. [National Environmental Policy Act \(NEPA\)](#)
5. [Regulatory Flexibility Act \(RFA\)](#)
6. [EO 12866 \(Regulatory Planning and Review\)](#)
7. [EO 13771 \(Reducing Regulation and Controlling Regulatory Costs\)](#)
8. [EO 13840 \(Ocean Policy to Advance the Economic, Security, and Environmental Interests of the United States\)](#)
9. [NOAA Fisheries Guidelines for Economic Reviews of Regulatory Actions](#)
10. [NOAA FY 22-26 Strategic Plan](#)
11. [NOAA Fisheries Strategic Plan 2019-2022 \(Strategic Plan\)](#)
12. [NOAA Fisheries Ecosystem-Based Fishery Management \(EBFM\) Road Map](#)
13. [NOAA Fisheries National Bycatch Reduction Strategy](#)
14. [NOAA's Catch Share Policy](#)

Those laws and EOs contains implicit authority for NMFS to conduct the economic surveys, which OMB would approve under the requested hybrid-generic clearance. Appendix A, which is a supplemental document, discusses the relevant provision of those laws, EOs, policies, and strategies.

**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.**

NMFS and/or its contractors would collect the information from the owners or operators of active vessels, permit owners, or other well-defined groups of fishermen or license/permit holders and, in some cases, from other individuals associated with their fishing activities. The question bank for the proposed generic clearance identifies the “other individuals” as spotter plane pilots who assist in finding fish, former fishing vessel owners or operators or permit owners, and the operators of fish processing businesses.

The surveys would collect information, which NMFS and Council economists would use to monitor, explain and predict changes in the economic performance<sup>1</sup> and impacts of the commercial and charter harvesting sectors of federally managed fisheries, as well as the associated changes in the magnitude and distribution of the net National benefits provided by those two sectors. As noted above in the response to Item 1, that use of the data would allow more than cursory efforts to comply with or support a variety of laws, EOs, and NOAA policies and strategies, which would contribute to a well-informed, science-based fisheries conservation and management decisions making process and should increase the net benefits to the Nation.

The relevant measures of economic performance include costs, earnings, and profitability (net revenue); productivity and economic efficiency; capacity; economic stability; the level and distribution of net economic benefits to society; and market power. The economic impacts include sector, community, or region-specific and national employment, sales, value-added, and income impacts.

NMFS would collect the following general categories of data under the proposed hybrid-generic clearance when adequate data are not available from other sources:

1. Vessel characteristics;
2. Vessel ownership;
3. Capital and other asset costs;
4. Fixed and variable costs and in some cases the quantities and prices of specific inputs used, such as fuel;
5. Effort and gear;
6. Catch and revenue, including revenue from a variety of fishing and non-fishing activities;
7. Opportunity cost of capital;
8. Links to communities and regions;
9. Labor and demographic characteristics of fishing vessel owners or operators;
10. Fishing strategies and other.

Each survey approved under this hybrid-generic clearance would include a subset of the questions in the question bank, which is in a supplemental document. Appendix B, which is also

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<sup>1</sup> See [Kitts, Andrew et al 2022](#), for a recent discussion of the economic data that are useful for measuring economic performance.

a supplemental document, explains the purposes for collecting the various types of information included in the question bank. OMB will decide what if any changes to the question bank NMFS can request during the 45-day review process for a specific survey submitted under this hybrid-generic clearance. The question bank principally reflects the surveys OMB approved April 27, 2022 for Economic Surveys of Specific US Commercial Fisheries (OMB Control Number 0648-0773) and the following six previously approved but discontinued collections:

1. Alaska Recreational Charter Guide and Owner Data Collection (0648-0647)
2. Recreational For-Hire Economic Survey under the Marine Recreational Fishery Statistics Survey (0648-0052)
3. Washington/Oregon Charter Survey (0648-0369)
4. Cost/Earnings Study of Hawaii For-Hire (Charter) Fleet (0648-0369)
5. Mail Survey to Collect Economic Data from Federal Gulf of Mexico and South Atlantic For-Hire Permit Holders (0648-0730)
6. California Commercial Passenger Fishing Vessel Cost/Earnings Survey (0648-0369)

NMFS would submit a mini-ICR under this requested hybrid-generic clearance for: 1) each of those six discontinued collections; 2) fisheries that have not had an economic survey for many years; and 3) surveys currently approved under OMB control Number 0648-0773 as that clearance approaches its expiration date or as changes to those surveys become necessary.

The data collections efforts would be principally quantitative in nature. Some surveys would attempt to collect information from a census of the relevant population and others would collect information from a sample of the population. Additionally, NMFS would collect the data via a variety of means, including in-person interview, phone or video interviews and mail or internet surveys. If appropriate, each potential respondent would be able to choose from among two or more of those methods of providing the requested information.

Under this clearance, NMFS would limit its inquiries to surveys that solicit voluntary responses. NMFS would take steps to ensure anonymity of respondents in each survey and to protect the confidentiality of the data. With one exception, NMFS would conduct a specific survey no more than twice every three years. The exception is the survey of the American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands small boat-based fisheries, which is an economic add-on to the ongoing creel surveys for those fisheries.

For each survey NMFS wants to conduct under the requested hybrid-generic clearance, it would submit to OMB a mini-ICR, which includes the actual survey instrument and related documents (planned correspondence with prospective and actual respondents, scripts for interview, screenshots, etc.). The responses in the rest of Part A and all of Part B include additional details on the types of information NMFS would provide in the mini-ICR for each such survey. A supplemental document contains the template for the mini-ICRs with instructions.

NMFS would not directly disseminate the data collected to the public in raw form, but aspects or portions of the information collected could be used to support analyses conducted for NMFS and the Councils, research published in various journals, papers and reports, and presentations at conferences and Council meetings.

This information collection and dissemination would comply with the NMFS and NOAA Chief Information Officer (CIO) Information Quality Guidelines and Standards. Quality would be ensured and established at levels appropriate to the nature and timeliness of the information to be disseminated and would include all pre-dissemination reviews, as required by the Information Quality Guidelines and Standards.

- 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.**

Whenever appropriate, NMFS would use information technology to reduce burden on respondents. In addition to traditional data collection methods, NMFS would continue to offer electronic response options via a NMFS Internet website whenever appropriate.

- 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.**

Each NMFS Fisheries Science Center has an internal review process for voluntary, fishery economic data collections that would examine each survey to prevent internal duplication of effort and to ensure that appropriate data collection instruments are developed. The review process at each Center includes contacting staff of the relevant Council(s) and state or territorial fisheries/natural resource department(s) to ensure that the desired information is not available from other sources.

By examining its three-year NMFS-wide requirements for fisheries economic data and combining its voluntary collections for those data into a bundled ICR and a hybrid-generic ICR, NMFS is, to the greatest extent possible, centralizing the administration of these surveys. This would provide for a more consistent and comprehensive approach. While there would be other surveys or data collections that become the subject of separate clearance requests, NMFS is confident that the procedures in place ensure that there would be no duplication within NMFS information collections and directed analyses and research.

Due to cross fishery participation and conducting some surveys twice in three years, there may be some duplication of responses for some surveys. However, such surveys would provide valuable contributions to understanding changes in the economic performance and impacts of the commercial and charter harvesting sectors of federally managed fisheries.

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

Principally, small business and other small entities would be involved in these survey efforts. NMFS would continue to take several actions to keep the burden on them as well as on any

business, organization or individual at a minimum. First, it would continue to coordinate the data collections to reduce the burden for those who participate in both sectors and/or in multiple fisheries. Second, it would continue to ensure the requested information for a specific survey is limited to that which is essential to meet the objectives of that survey and is not available from other sources. Third, with the one exception mentioned above, NMFS would conduct a specific survey no more than twice every three years. Finally, participation in each survey would continue to be voluntary.

**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.**

Not conducting these surveys or conducting them less frequently would have the following adverse cascading effects. It would decrease the ability of NMFS and the Councils to effectively monitor, explain and predict changes in the economic performance and impacts of federally managed fisheries. That would prevent more than cursory efforts to comply with or support a variety of laws, EOs and NOAA policies and strategies. That would limit the contributions of economic data and analyses to a well-informed, science-based approach to the conservation and management of living marine resources and marine habitat in federally managed fisheries. That could decrease the net benefits to the Nation. There are no technical or legal obstacles to reducing the information collection burden.

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

Participation in each survey would be voluntary. Therefore, no survey would require respondents to: 1) report information to the agency; 2) prepare a written response; 3) submit any document; 4) retain any records; or 5) submit proprietary trade secrets or other confidential information.

None of the surveys NMFS would conduct under the requested hybrid-generic clearance would use a statistical data classification that OMB has not reviewed and approved. As noted in Part B, NMFS would submit a min-ICR to OMB for each survey it wants to conduct under the requested hybrid-generic clearance and that mini ICR would address the proposed statistical data classification(s).

NMFS has demonstrated that it has instituted procedures to protect information confidentiality to the extent permitted by law. The survey instruments and most correspondence with potential respondents would include a pledge of confidentiality supported by disclosure and data security policies, which are consistent with the pledge and which do not unnecessarily impede sharing of data with other agencies for compatible confidential uses. The response to Item 10 below includes an example of the pledge of confidentiality NMFS would use for each survey.

**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 60-day Federal Register Notice (FRN) soliciting public comments was published on Monday, December 6, 2021 (Vol. 86, Number 231, pages 69017-69018). No comments were received.

For each of the planned surveys, the past success of a similar survey, as well as consultations with fishermen and others familiar with the fisheries, indicate that there should be no issues regarding the availability of data, frequency of collection, the clarity of instructions and reporting format, or the requested data elements.

As with its previous economic survey instruments, those that NMFS would use under this requested hybrid-generic clearance would be developed in consultation with other federal and academic researchers, subject matter experts in fishery economics, and individuals and organizations who represent the interests of the commercial and charter harvesting sectors of federally managed fisheries. For some collections, the instrument development process could include a pilot study phase to best inform the collection process and specific questions. NMFS would request OMB approval of such a study under an appropriate generic clearance.

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

At this time, NMFS has no plans to provide any payments or gifts to respondents. However, if that plan changes for an individual survey under the requested hybrid-generic clearance, the mini-ICR for that survey would include an explanation of and justification for any such payments or gifts. The following is an example of when NMFS might use such payments. If the respondents must leave their home or place of business to travel to a specific location to participate in a survey conducted under the requested hybrid-generic clearance, NMFS might provide a small stipend to offset their travel expenses.

**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.**

The survey forms would contain the following or a similar statement.

We appreciate the confidential nature of the data being collected by this survey. NMFS will handle individual survey data as confidential business information and a form of protected personal information and will maintain the confidentiality of the information consistent with legal authorities available to it, including but not limited to the Privacy Act (5 U.S.C. Section 552a) and the Trade Secrets Act (18 U.S.C. Section 1905). NMFS will protect individual survey data from public disclosure to the extent permitted by law and it has instituted procedures to provide that protection.

System of Records [NOAA-6](#), Fishermen’s Statistical Data, and [NOAA-19](#), Permits and Registrations for United States Federally Regulated Fisheries, cover the information collected for these fisheries.

**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.**

Some of the surveys NMFS would conduct under this hybrid-generic clearance would include a potentially sensitive question about household income. Household income can be an important indicator of household economic resiliency and can be an important factor to consider when evaluating regulatory alternatives. For example, all else being equal, a regulation that disproportionately affects low-income households may be less preferred than one that more widely distributes economic effects. In addition, combining respondents’ household income information with home address data can be used to construct an indicator on community economic resilience, which may be useful when analyzing economic effects on communities as required under National Standard 8 of the MSA [MSA Section 301(a)(8)].

In addition, some of the surveys NMFS would conduct under this hybrid-generic clearance may include potentially sensitive questions about race. NMFS can use race to identify vulnerable communities that could be impacted by regulatory alternatives and issues related to socio-cultural background, particularly in fisheries with diverse backgrounds. Hence, race may be useful when analyzing economic effects on communities due to conservation and management measures as required under National Standard 8 of the MSA [MSA Section 301(a)(8)]. Surveys involving a question on race would follow the OMB Standards for the Classification of Federal Data on Race and Ethnicity.

In a recent review of two Department of Commerce generic information collections, OMB determined that the following is not a question of a sensitive nature.

Do you or your organization identify with any of the following groups that the Federal Government, in Executive Order 13985, has identified as underserved? (Check all that apply.)

- a) Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders, and other persons of color
- b) Members of religious minorities
- c) Lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons
- d) Persons with disabilities
- e) Persons who live in rural areas

- f) Persons otherwise adversely affected by persistent poverty or inequality
- h) No, I do not identify with any of these groups

This suggests that similar questions that break out more categories from items a) and c) would not be of a sensitive nature.

If a survey asks one or more sensitive questions, the mini-ICR for that survey would include an explanation of and justification for including it/them, the explanation NMFS would provide to persons from whom it requests that information and a description of any steps NMFS would take to obtain their consent.

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

The estimates of the burden for three years are approximately as follows: 15,606 respondents, 17,058 burden hours, and a \$609,750 wage burden cost. For the hourly wage rate for respondents, we used \$35.75, which is the average of the US national hourly mean wage rates for 1) Ship and Boat Captains and Operators (\$45.31, occ\_code 53-5020) and 2) First-Line Supervisors of Farming, Fishing, and Forestry Workers (\$26.18, occ\_code 45-1011). These wage rates are for May 2021, the latest period for which data are available<sup>2</sup>. We used the average for those two occupation codes for three reasons. First, there is not an occupation code specifically for the captains of fishing vessels. Second, the equivalent of an hourly wage rate varies among fisheries and captains. Third, we think the average of the two hourly mean wage rates is a reasonable proxy for the captains of commercial and charter sector fishing vessels.

NMFS based its estimate of the burden per response for each survey on consultations with fishermen and others familiar with that fishery. We provided opportunities for comments on each fishery/survey-specific estimate in similar previously conducted surveys and in the 60-day Federal Register Notice for those surveys. Generally, we do not expect the hour burden on respondents for a given fishery to vary widely. However, among the proposed surveys, the burden per response ranges from 10 minutes for an economic add-on to three creel surveys conducted in the western Pacific to 180 minutes for surveys, which collect information for two years at a time. With the one exception mentioned above, NMFS would not conduct these surveys annually. Depending on the fishery, NMFS plans to conduct each collection every 3 to 8 years. However, because any number of things, including changing fishery conditions and management concerns, can affect the appropriate frequency of a survey for a specific fishery, with that one exception, NMFS is requesting approval to conduct each survey twice every 3 years. Because the burden and cost estimates reflect that frequency, the actual average annual burdens and costs would be less than the estimates if NMFS does not take advantage of the option to conduct each survey twice every 3 years.

The mini-ICR for each survey NMFS wants to conduct under the requested hybrid-generic clearance would include the types of information in Table 1.

### **Table 1. Estimates of the Average Annual Number of Respondents and Burden (Item 12).**

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<sup>2</sup> See [https://www.bls.gov/oes/current/oes\\_nat.htm](https://www.bls.gov/oes/current/oes_nat.htm)

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents/Year	Annual # of Responses/Respondent	Total # of Annual Responses	Burden Minutes/Response	Total Annual Burden Hours	Hourly Wage Rate (for Type of Respondent)	Total Annual Wage Burden Costs
		(a)	(b)	(c) = (a) x (b)	(d)	(e) = (c) x (d)/60	(f)	(g) = (e) x (f)
Commercial and Charter Harvesting Sector Surveys	Commercial and Charter Fishing Captains	5,202	1.06	5,538	61.6	5,686	\$35.75	\$203,250
<b>Totals</b>		<b>5,202</b>		<b>5,538</b>		<b>5,686</b>		<b>\$203,250</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).**

There are no costs to respondents. Respondents would use envelopes with prepaid postage for any information collected by mail.

**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.**

This hybrid-generic clearance would involve approximately 20 NMFS employees who would devote a portion of their time, aside from normal duties, to plan, coordinate, administer, or monitor the individual surveys. NMFS estimates that in total they would spend about 5,400 hours per year for an average annual cost of \$517,431. NMFS would use contracts to administer most of the individual surveys. Based on the costs of similar recent contracts, the total annual contractor costs would be \$997,633. In addition, the total annual cost of other expenses (e.g., printing, supplies and travel) would be \$47,666. Therefore, the total annual cost to NMFS would be \$1,562,730 and the total cost over three years would be almost \$4.7 million.

For each individual survey NMFS wants to conduct under this hybrid-generic clearance, it would submit a mini-ICR, which would provide the types of information in Table 2.

**Table 2. Estimates of the Average Annual Federal Government Costs (Item.14).**

All FSCs and ST5	Grade/ Step	Loaded Salary Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight etc.	mainly IV	\$201,022	257%	0	\$517,431
<b>Contractor Cost</b>	0	0	0	0	\$997,633
<b>Other Costs:</b>	0	0	0	0	\$47,666
<b>TOTAL</b>	0	0	0	0	\$1,562,730

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

This is a request for a new hybrid-generic clearance.

**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 noted above in the response to Item 2, NMFS would not directly disseminate the data collected to the public in raw form, but aspects or portions of the information collected may be used to support analyses conducted for NMFS and the Councils, research published in various journals, papers and reports, and presentations at conferences and Council meetings.

The schedules will vary by collection/survey. The mini-ICR for each collection submitted under this hybrid-generic clearance will discuss any complex analytical techniques that will be used and specify the schedule, including beginning and ending dates of the collection of information, completion of report(s), publication dates, and other actions.

**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.**

All written and electronic surveys would display the OMB control number and current expiration date.

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