

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Mandatory Shrimp Vessel and Gear Characterization Survey**  
**OMB Control Number 0648-0542**

**Abstract**

This request is for an extension of this current information collection. The National Marine Fisheries Service (NMFS) currently collects census-level information on fishing vessel and gear characteristics in the commercial shrimp fishery that operates in federal waters of the Gulf of Mexico. NMFS uses this information to conduct analyses that improve fishery management decision-making and to ensure compliance with national goals, objectives, and requirements of the Magnuson-Stevens Fishery Conservation and Management Act, and other applicable laws and statutes.

**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.**

Collection of vessel and gear characterization and fishing effort information is necessary, supplemental information to the core economic, social, and biological information regarding the Gulf shrimp fishery that is vital to the optimum yield management of marine fishery resources as mandated under the Magnuson-Stevens Act. The term “optimum” is defined under section 104-297 of the Act, as: (A) will provide the greatest overall benefit to the Nation, particularly with respect to food production and recreational opportunities, and taking into account the protection of marine ecosystems; (B) is prescribed as such on the basis of the maximum sustainable yield from the fishery, as reduced by any relevant economic, social, or ecological factors; and (C) in the case of an overfished fishery, provides for the rebuilding to a level consistent with producing the maximum sustainable yield in such a fishery.

In the Gulf shrimp fishery, controversy exists regarding estimates of fishing effort, bycatch (particularly with respect to red snapper and other finfish), sea turtle interactions, and overcapacity. This controversy has led to multiple lawsuits filed against NMFS and Congressional level inquiries into the adequacy of the science used to generate these estimates and the policy decisions that have resulted. There is a continuing need for more accurate data and additional analyses to increase the certainty and confidence in these estimates and thereby resolve these conflicts.

**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 mandatory vessel and gear characterization survey is a census data collection effort of all shrimp vessel owners or operators who possess a valid federal Gulf commercial shrimp fishing permit. NMFS began collecting these survey data in 2006 under Office of Management and Budget (OMB) Control No. 0648-0542 per the final rule implementing Amendment 13 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (Amendment 13) (71 FR 56039, September 26, 2006).

The vessel and gear survey annually updates existing data and continues data collection efforts for this significant fishery. NMFS currently collects other information from Gulf commercial shrimp vessels pertaining to their fishing activities, trip dates, landings, and other information through port agents, electronic logbooks, and mandatory dealer reports. Prior to this annual survey, little data related to vessel and gear characteristics at the individual vessel level have been collected through other means.

Completion of the annual survey is required for fishermen to renew or transfer a Gulf commercial shrimp permit. NMFS' Southeast Fisheries Science Center (SEFSC) mails the annual survey to all Gulf shrimp permit holders beginning in March each year. Requiring completion of the survey shortly before permit renewal, with renewal contingent upon survey completion<sup>1</sup>, ensures that all permitted fishermen will be included in the census and each fisherman will only be surveyed once per annum.

One of the primary purposes of collecting vessel and gear characterization data at the census level is to develop statistically valid sampling designs for the other aforementioned data collection programs. It is believed that the creation of stratified, random sampling designs for these data collection programs is necessary to ensure that the data, and the estimates of the fishery performance measures based on that data, are accurate (e.g., representative of the fishery's actual performance). The various vessel and gear characteristics serve as strata in these sampling designs.

The information collected by the vessel and gear characterization survey is used by NMFS economists, social scientists, and biologists to help evaluate the performance of existing regulations (e.g., bycatch reduction devices (BRDs), turtle exclusion devices (TEDs), time or area closures, etc.), and the impacts that changes to those regulations may have on individual fishermen, the shrimp fishing industry as a whole, and fishing communities. In addition, the vessel and gear characterization data are further linked to various biological, social, and economic data collected by other means.

It is anticipated that the information collected will be available to the public through technical memoranda and similar publications, or used to support publicly disseminated information, such as analyses contained within documents distributed by the Gulf of Mexico Fishery Management Council (Council). Data may be reported according to the various types of nets, TEDs, BRDs or electronic equipment that is generally used, which will allow comparisons and evaluations of alternative vessel and gear configurations by analysts and vessel owners.

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<sup>1</sup> The Gulf shrimp fishery requires a limited-access federal permit, and there is a moratorium on new federal Gulf shrimp permits until October 26, 2026. If a person buys or transfers a permit on January 1, 2022, before this person's permit can be renewed in 2022, they would have to complete a survey form.

## **Justifications for Questions**

The questions contained on the vessel and gear survey form are needed to collect data as required by regulations implementing Amendment 13. All but Question 1 on the form are focused on activity in the past year. Questions 1-4 ask for year of vessel purchase, by whom the vessel was operated in the past year, number of days at sea and trips taken in the past year and in what areas and fisheries the vessel was operated. Questions 5-11 pertain to the most frequent type of gear used. Questions 12-13 pertain to the most frequently used BRD. Questions 14-26 pertain to the most frequently used TED. Question 27 asks for a list of all electronic equipment used on the vessel.

These annually collected data are required to assess the fishery, aiding in the informed management decision-making process. This information helps to estimate vessel profitability and aggregate economic impacts associated with the vessel and local shrimp fishing industry. Additionally, economic theory suggests that organizational structure can impact who makes decisions within the fishing business, how those decisions are made, and what the goals or objectives of the fishing business might be which in turn will affect the vessel's productivity and economic performance. These data will provide information about the average length of trips and how many days of fishing occurred during a calendar year. This information will help to determine which fishermen are full time participants, who are part-time, the level of dependency that each has on this fishery, and the potential impacts that federal regulations may have on them.

The questions contained in this form will also collect information which will help to assess the relative performance of different BRDs with respect to bycatch reduction and shrimp loss, and thus the socioeconomic and environmental impacts of potential changes in BRD regulations on individual fishing enterprises, fishing communities, and the environment. In addition, information about the types of TEDs in use will help to assess the socioeconomic impacts of federally mandated TED regulations on individual fishing enterprises and fishing communities, especially considering recent changes to the TED regulations. Information on the relative performance of alternative TEDs and BRDs will be useful to both managers and fishermen.

NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NMFS' 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. Prior to dissemination, the information 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.**

NMFS mails the annual surveys to all permit holders early in each respective year. NMFS also includes a pre-paid envelope for the respondents to return the survey. Responses are entered into

a database, designed specifically for this purpose, and data will be periodically transmitted to NMFS' Southeast Regional Office. NMFS is working toward making this an electronic survey and data submission process.

**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 collection of the data requested in the vessel and gear survey form is unique in its detail and specificity to individual fishing entities and their general operation. There will be no duplication of the vessel and gear characterization information being gathered from the federal Gulf shrimp permit holders. The electronic logbook requirement approved under OMB Control No. 0648-0543 does not include the information being collected on this form. These data will be linked to the socioeconomic survey data, shrimp dealer landings data collected by NMFS port agents, electronic logbook data, shrimp permit data, and data from the U.S. Coast Guard Vessel Documentation program. A draft of this form originally went through several internal and external reviews to ensure that there was no duplication.

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

Although some Gulf shrimp permits are thought to be held by businesses with the same or substantively the same individual owners, and thus would likely be considered affiliated, ownership data for Gulf shrimp permit holders is incomplete, and thus, it is not currently feasible to accurately determine whether businesses that have these permits are in fact affiliated and, therefore, conclude whether businesses are large or small. NMFS is currently making changes to its permit application forms so that such determinations can be accurately made in the Gulf shrimp fishery. As a result of the incomplete vessel ownership data, NMFS currently assumes each vessel is independently owned by a single business. Using gross annual revenue from businesses with a federal Gulf shrimp permit, all permit holders subject to this information collection are considered to be small businesses.

Only the minimum data to meet the current and future needs of NMFS management, stock assessments, and permitting programs are requested from all permit applicants. The results of this data collection effort are expected to improve the economic conditions of small fishing entities by affording fishery management agencies the information needed to better consider social and economic factors in management plans and regulations.

**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.**

Without this information or if it is collected less frequently, various user groups will continue to express a lack of confidence in NMFS' estimates of fishing effort, bycatch (particularly with respect to red snapper and other finfish), sea turtle interactions, and overcapacity in this fishery, and thus in the various analyses and assessments that make use of these estimates. This information is vital in assessing the economic, social, and environmental effects of alternative

fishery management decisions and regulations on individual fishing enterprises, fishing communities, and the nation as a whole as per the requirements of the Magnuson-Stevens Act, NEPA, RFA, ESA, and E.O. 12866. A continued lack of confidence in the data and analyses being used to support controversial policy decisions will only serve to continue and exacerbate existing conflicts between user groups.

Regulations regarding BRDs, TEDs, and time or area closures have changed often in the past, and are likely to change in the future as economic, social, and environmental conditions change. The economic and social conditions in this fishery have been dynamic in recent years, even more so than historically. Thus, collecting this information on at least an annual basis, as opposed to every two or more years, is necessary to ensure that currently representative data are being used in the various analyses. Without this information, it will be very difficult to accurately evaluate the performance of existing regulations (e.g., BRDs, TEDs, time or area closures, etc.), and the impacts that changes to those regulations may have on individual fishermen, the fishing industry as a whole, and fishing communities. More specifically, it will be difficult to generate accurate analyses of the various policy alternatives that NMFS and the Council may consider with respect to determining the significance of economic impacts on small entities, as required by the RFA; how best to achieve the maximization of net benefits to society, as required by E.O. 12866; and the impacts on the environment, as required by NEPA. Without this information, it will be quite difficult to determine whether: 1) bycatch in the fishery is being minimized to the extent practicable as per the requirements of National Standard 9 to the Magnuson-Stevens Act; 2) the fishery is operating in a manner consistent with existing regulations that have been implemented under the ESA; 3) abundance is changing as a result of environmental or human related factors, and to what extent; and 4) the fleet's fishing capacity is at an economically sustainable level.

Without the data collected by the vessel and gear characterization form, confidence in the data and estimates of the fishery performance measures arising from these complementary programs will be low, as will be any policy decisions based thereon. Further, if the information is not collected at the census level, it cannot be used to develop random sampling designs for other data collection programs in this fishery.

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

The collection 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.**

NMFS published a Federal Register notice on September 30, 2022 (87 FR 59403), and solicited public comments on the continuation of this collection of information. One comment was received pertaining to the burdensome and cumbersome method of paper copies and asking that NMFS change the method of collection to be administered in an online format. The comment

received is similar to the responses and comments from previous suggestions in 2019. Action taken by NMFS in response to this comment was to make the forms available for download and submission via email. The forms are posted both on NMFS and SERO webpages. When permit holders are attempting to renew a SPGM permit through the SERO Permit Office, the applicant is notified at the beginning of the renewal process of their compliance status with this fishing requirement and asked to download the forms and submit to NMFS. This expedites the renewal process as well as offering the forms electronically.

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

No monetary payments or other remuneration will be made.

**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 survey instrument, all data that permit holders submit are treated as confidential in accordance with the Magnuson-Stevens Act (16 U.S.C. 1881a, 402b, Confidentiality of Information) and NOAA Administrative Order 216-100.

**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 are no questions of a sensitive nature included in this survey.

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

The maximum number of respondents is 1,349, which is the maximum number of valid and renewable permits in the Gulf shrimp fishery as of September 15, 2022. The time per response is estimated to average 30 minutes, for a total annual time burden of 674.5 hours. Information gathered on the survey form should be readily available to vessel owners or operators, based on their memory or written documentation, such as fishing logs.

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)
Shrimp Vessel and Gear Characterization Survey	Fisherpersons (45-000)*	1,349	1	1,349	0.5	674.5	\$16.70	\$11,264.15
<b>Totals</b>				<b>1,349</b>		<b>674.5</b>		<b>\$11,264.15</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 will be no financial cost to the public to participate in this study (excluding valuation of respondents' time). The survey is mailed to the permit holders and is accompanied by a pre-paid envelope for the respondents to return the survey to the NMFS Galveston Laboratory.

**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	ZP-II	\$128,000	50.8%		\$65,000
Other Federal Positions					
Contractor Cost					
Travel					
Other Costs:					\$10,000
<b>TOTAL</b>					<b>\$75,000</b>

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

*Adjustment*

The reduction in number of respondents from 1,410 to 1,349 is due to a reduction in the fleet size of the shrimp fishery. The revised number of respondents results in a decrease of the estimate total annual burden hours from 705 to 674.5.

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	
Shrimp Vessel and Gear Characterization Survey	1,349	1,410	1,349	1,410	674.5	705	The reduction in the number of respondents is due to a reduction in the fleet size of the shrimp fishery.
<b>Total for Collection</b>	<b>1,349</b>	<b>1,410</b>	<b>1,349</b>	<b>1,410</b>	<b>675</b>	<b>705</b>	
<b>Difference</b>	<b>-61</b>		<b>-61</b>		<b>-30</b>		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Shrimp Vessel and Gear Characterization Survey	\$11,264.15	\$10,215.45	0	0	Updated labor rates.
<b>Total for Collection</b>	<b>\$11,264.15</b>	<b>\$10,215.45</b>	<b>0</b>	<b>0</b>	
<b>Difference</b>	<b>\$1,048.70</b>		<b>0</b>		

**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.**

These data will be published using an aggregated, non-confidential, and summarized format with generalized tables in an annual NMFS technical memorandum or similar report. Project reports will provide documentation about the survey methodologies, survey instrument, and an assessment of the validity of the collected data.

**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 the information collection will appear on all forms in this collection.

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