

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Highly Migratory Species Vessel Logbooks and Cost-Earnings Data Reports
OMB Control No. 0648-0371

Abstract

This request is for an extension without revision of the Atlantic Highly Migratory Species (HMS) vessel logbooks and cost-earnings reports information collection. The burden and cost estimates have been updated to reflect minor changes in the number of permit holders, and hourly labor costs from the Bureau of Labor Statistics. Otherwise, there have been no programmatic changes to this information collection. This information collection provides essential data on HMS fishing effort, catch, and economic data that is essential to the continued management of these fisheries. The legislative authorities to collect data from the various sectors of the economy that harvest marine resources in the exclusive economic zone are the [Magnuson-Stevens Fishery Conservation and Management Act](#) (Magnuson-Stevens Act) and the [Atlantic Tunas Convention Act](#) (ATCA). Under this dual authority, the Secretary of Commerce has promulgated rules that require specific types of record keeping and data submissions. HMS are species that travel long distances and often cross domestic and international boundaries. NOAA Fisheries manages HMS fisheries—tunas, sharks, swordfish, and billfish—in U.S. Atlantic Ocean, Gulf of Mexico, and Caribbean waters.

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.

Logbook forms

This program is necessary to allow the National Marine Fisheries Service (NMFS) to manage Atlantic HMS consistent with legal mandates in the Magnuson-Stevens Act, ATCA, and the [National Environmental Policy Act](#) (NEPA). Without the information collected through this mandatory logbook program, NMFS will not have the information needed to conduct stock assessments, monitor fishery quotas, or prevent overfishing. Additionally, data collected through this logbook program allow NMFS to meet mandatory reporting requirements under the International Commission for the Conservation of Atlantic Tunas (ICCAT).

In 1999, NMFS issued a Fishery Management Plan (FMP) for Atlantic Swordfish, Sharks and Tunas (1999 FMP), an amendment to the FMP for Atlantic Billfish (Billfish FMP Amendment), and re-issued HMS regulations in a consolidated form at [50 CFR part 635](#). In implementing the 1999 FMP and the Billfish FMP Amendment, NMFS undertook a comprehensive approach to data collection for all HMS fisheries and modified the HMS regulations to provide authority to expand the logbook program to all selected HMS permit holders. While logbook reporting was already required for all shark and swordfish limited entry vessels and tuna longline vessels that harvest swordfish and sharks, it was not required for tuna vessels that used gear types other than longline (e.g., rod and reel, harpoon, purse seine) or for charter/headboats. To improve data collection on fishing effort and catch in the tuna fisheries, NMFS modified the requirements at that time to allow for NMFS to select ten percent of all permitted tuna vessels for the logbook reporting program including a portion from all gear categories. Additionally,

these changes allowed for charter/headboat vessels fishing for HMS to be selected for the logbook program. NMFS consolidated the 1999 FMP and Billfish FMP Amendment in 2006 (2006 Consolidated HMS FMP), and maintained these data collection requirements. NMFS currently proposes to continue to maintain the 100 percent selection rates for limited entry vessels and HMS Charter/Headboat permit holders, and the 15 percent selection rate for the Atlantic Tunas General and Swordfish General Commercial permit holders. Any selected tuna vessels or HMS charter/headboats already reporting through the Northeast Regional Logbook Family of Forms (OMB Control No. 0648-0212) or the Southeast Region Logbook Family of Forms (OMB Control No. 0648-0016) could continue to use those logbooks to meet the HMS logbook reporting requirements.

Under [50 CFR part 635.5](#), selected vessel owners or operators are required to complete logbook forms within 48 hours of a set or before offloading, and submit the forms no later than the seventh day after offloading all HMS from the vessel. The appropriate logbook package is distributed to all selected vessels. Selected vessels include all shark, swordfish tuna longline, and HMS charter/headboats, as well as approximately 15 percent of all commercial open access handgear vessels. The forms consist of either a trip summary fishing report (catch, discards, effort, and fishing area data), or, if no fishing took place during the monthly reporting period, a no-fishing report.

The 48-hour completion deadline requirement results in more timely and accurate reporting of catch and bycatch in HMS fisheries. It also facilitates enforcement of catch restrictions both at sea and at the dock. The annual number of trip summary reports and no-fishing reports expected from each respondent was calculated during the previous renewal of this information collection through an analysis of average number of trips per permit holder in each fishery (see Table 1 for the expected number of trip summary reports with catch, trip summary reports without catch, and no-fishing reports). This estimate remains unchanged. Although the number of respondents has changed (due to a decrease in valid permits and minor increases in percent reporting), fishing behaviors and techniques, including annual number of trips, is unlikely to have changed.

The United States (U.S.) fisheries that fish directly and indirectly for Atlantic tunas, sharks, swordfish, and billfishes that are impacted by the 2006 Consolidated HMS FMP logbook reporting requirements are as follows:

- For-hire Charter/Headboats
- Longline Vessels (Pelagic and Bottom Longline)
- Commercial Limited Entry Handgear Vessels
- Commercial Open Access Handgear Vessels
- Harpoon Vessels
- Gillnet Vessels

In addition to use for HMS fisheries, the HMS logbook is also used to report catches of dolphinfish and wahoo by commercial non-HMS fisheries because of the significant overlap between the dolphinfish/wahoo and HMS fisheries.

In addition to the logbook catch and effort report, fishermen are also required to submit copies of weigh-out slips from dealers for all trips from which fish are sold. Together, these forms collect the following information: name and address of owner; vessel name and permit number; fishing location; gear type; measures of effort specific for each gear type; number and disposition of catch (discarded-dead, alive, tagged, or kept); weight of fish sold; and ex-vessel price of the fish sold for each HMS caught. Information on the number and size of each fish is used to assess total and average weight of the target species being harvested. The effort expended allows estimation of catch per unit effort (CPUE), a crucial

component of scientific stock assessments. Additionally, information on discards is needed to account for total mortality and to evaluate bycatch reduction efforts required under the Magnuson-Stevens Act.

There are three variations of the HMS logbooks: 1) the HMS Set Logbook (Pelagic and Bottom Longline, Gillnet, Limited Entry Handgear, and Purse Seine vessels), 2) the HMS Charter/Headboat Logbook, and 3) the HMS Commercial Handgear Logbook (Commercial Open Access Handgear and Harpoon vessels). The three variations of the logbook have been designed to address the unique operations of the different HMS fishery sectors, and are described below:

HMS Set Logbook

This variation of the HMS Logbook is used to collect trip data from vessels targeting swordfish, sharks, and tunas using pelagic or bottom longline gear, gillnets, purse seines, or limited entry handgear permits. There are several forms used to report catch and effort data. A set form is provided for the fishermen to record and submit the catch and effort information for each gear set (e.g., deployment and retrieval of gear for nets or longlines). To provide the information on the entire trip, fishermen are provided a trip summary form, which includes a cost-earnings form. This form eliminates the need to record certain information that is redundant for every set or day of the fishing trip (e.g., the start and ending dates for the trip, the unloading site, sales of catch, payout to crew and captain, etc.).

HMS Charter/Headboat Logbook

This variation of the HMS Logbook is used to collect trip data from for-hire recreational vessels targeting swordfish, sharks, billfish, and tunas using rod and reel gear. To provide the information on the entire trip, fishermen are provided a trip summary form which includes a cost-earnings form. The logbook allows captains to record and submit their effort, target species, and cost-earnings information for the entire trip along with other relevant trip information (e.g., the start and ending dates for the trip, the unloading site, charter fees, payout to crew and captain, etc.).

HMS Commercial Open Access Handgear Logbook

This variation of the HMS Logbook is used to collect trip data from open access commercial handgear vessels targeting swordfish, sharks, and tunas using rod and reel, buoy, bandit, handline, speargun, harpoon, or greenstick gear. To provide the information on the entire trip, fishermen are provided a trip summary form which includes a cost-earnings form. The trip summary allows fishermen to record and submit their catch and effort information for the entire trip along with other relevant trip information (e.g., the start and ending dates for the trip, the unloading site, sales of catch, payout to crew and captain, etc.).

Weigh Out Slips

The HMS reporting regulations also require fishermen selling HMS to include a copy of the unloading weigh-out slips (i.e., tally sheet) for each trip where fish are sold. This receipt is provided by the seafood dealer as a normal business practice and does not constitute any additional reporting burden. However, because each species is weighed individually and the individual weights are listed on the tally sheet, these sheets provide the size frequency data that are a fundamental part of a stock assessment for these species. A very costly on-site sampling program to collect the same size frequency data would be necessary if the tally sheets were not provided. This is not required of HMS Charter/Headboat vessels that do not sell their catch as they have no way of acquiring weigh-out slips. Size of catch data is estimated for these vessels from the Large Pelagics Intercept Survey (LPIS) and the Marine Recreational

Information Program (MRIP) Access Point Angler Intercept Survey (APAIS).

This logbook program supplements data that are collected in the MRIP, which coordinates recreational fisheries surveys and includes the For-Hire Survey (FHS), the Large Pelagic Fishing Survey (LPS) (OMB Control No. 0648-0380), the HMS Recreational Landings Reports (OMB Control No. 0648-0328), and the Recreational Billfish Survey (RBS) (OMB Control No. 0648-0323). This logbook program also supplements data that are collected in the HMS Dealer Reporting Family of Forms (OMB Control No. 0648-0040). Each of these programs is discussed in detail below in relation to each of the applicable fisheries.

HMS For-Hire Charter/Headboats (All HMS)

Offshore fishing trips targeting HMS typically make up a relatively small proportion of all recreational fishing trips. Since catching HMS on recreational fishing trips is a “rare event,” generalized angler surveys aimed at estimating catch and effort for all species do not produce very precise estimates for many HMS. In such cases, specialized surveys such as the LPS or other data collection approaches (e.g., catch card programs) are needed to achieve the desired level of statistical precision. The LPS was specifically designed to collect information on recreational fishing directed at HMS (i.e., tunas, billfishes, swordfish, and sharks). This specialization has allowed higher levels of sampling needed to provide more precise estimates of pelagic fishing effort and catches of HMS. At present, however, the LPS is conducted only from Maine through Virginia. MRIP is aimed at improving recreational fishery survey methods for all species nationwide. Specific objectives of MRIP for HMS are to 1) assess the statistical design and effectiveness of HMS data collection programs, 2) develop new data collection methodologies as needed, and 3) expand the geographic, temporal, and species scope of HMS data collection efforts to meet management and science needs. Completed MRIP HMS projects include characterization studies of HMS recreational fisheries in Puerto Rico, the South Atlantic and the Gulf of Mexico, an evaluation of HMS tournament sampling, and HMS private boat and charter boat surveys.

The HMS Recreational Landings Reports collect data on total landings of recreationally-caught (i.e., not sold) bluefin tuna, blue marlin, white marlin, roundscale spearfish, sailfish, and swordfish. Although this reporting requirement is an integral part of the recreational monitoring system, compliance rates are low; therefore, it has not replaced traditional survey methods for data collection in the recreational fishery.

In many fisheries, CPUE measures provide an important indication of stock size. Because charter vessels participate extensively in HMS fisheries, it is critical that effort and CPUE data be provided in order for a comprehensive stock assessment to be prepared. CPUE data for this sector of the fishery has provided time series data to calculate an index of abundance for several HMS, and has been an integral part of the stock assessments for these species. Due to concern about respondent burden, the aforementioned survey techniques do not collect all data elements that might help to standardize effort and CPUE indices, yet they are the sole source of information at this time.

The HMS Charter/Headboat Logbook collects information similar to that currently collected from the billfish tournament reporting form and the HMS Set Logbook, which is used for commercial gears excluding handgear. Vessels are notified in writing if they have been selected to complete an HMS logbook. NMFS is evaluating the use of logbook data from charter/headboats, rather than survey data, for use in stock assessments, and findings from recent studies are published in the annual [Atlantic HMS Stock Assessment and Fishery Evaluation \(SAFE\) Report](#).

Pelagic and Bottom Longline Vessels (Tunas, sharks, swordfish)

The objective of the logbook program for these fisheries is to provide detailed, comprehensive data on catches, discards, effort and fishing location for fishermen that catch HMS, either as the primary (i.e., target) species or as incidental catch. The data collected are an integral part of stock assessments for HMS. Because the variability in the amount of catches between longline sets (both between pelagic and bottom longline sets and between sets using the same gear) is significant, scientists need the data recorded for individual sets. This includes vessels in the Atlantic tunas, swordfish, and shark pelagic longline fishery and the shark bottom longline fishery. All permit holders are selected; NMFS provides all materials necessary for reporting.

Commercial Handgear Vessels (Tunas, swordfish, sharks)

Commercial handgear vessels include the Swordfish Handgear limited access permit holders, Tunas General category permit holders, the Swordfish General Commercial permit holders, and HMS Charter/Headboat permit holders when fishing commercially under the same regulations as the Tunas and Swordfish General commercial permits. Depending on the target species, these permits authorize fishing with rod and reel, buoy, bandit, handline, harpoon, speargun, and greenstick gear. Up to fifteen percent of the Tunas General category and the Swordfish General commercial permit holders may be selected for logbook reporting, which provides information on resource utilization and economic effects in open-access commercial handgear fisheries.

Harpoon Vessels (Tunas and Swordfish)

The HMS logbook program would enable NMFS to more accurately monitor the harpoon fishery by collecting information pertaining to the species targeted and effort expended. At this time, information from Harpoon category vessels is not used to calculate CPUE because some of the needed data are not available. Detailed logbook information would enhance NMFS' ability to create a CPUE index by enabling standardization of effort. The LPS, MRIP, and FHS do not apply to harpoon vessels.

Gillnet Vessels (Sharks)

The objective of the logbook program for this fishery is to provide detailed, comprehensive data on catches, discards, effort and fishing location from fishermen that catch shark as the primary (i.e., target) species. The data collected are an integral part of stock assessments for sharks because the variability in the amount of catches between gillnet sets is significant and scientists need the data recorded for individual sets. This collection affects vessels in the directed and incidental shark fisheries. Smoothhound permit holders also commonly fish with gillnet gear, but are not required to submit logbook reports at this time. The LPS, MRIP, and FHS do not apply to shark gillnet vessels.

Indications from several stock assessments are that a number of shark species are being overfished. CPUE and data on total effort will greatly assist NMFS to further manage these stocks. Logbook forms also collect data on the catches of individual species of sharks.

Dolphin/Wahoo Commercial

Federal Dolphin/wahoo permits have been required since 2004 and all vessels targeting dolphinfish/wahoo were required to submit a logbook. Dolphin/wahoo permit holders that do not hold any other type of federal permit are required to report their catch in the HMS logbook; otherwise, they may report through the mechanism specified under their non-HMS permit. The HMS Set Logbook was selected to minimize the number of federal logbooks and dolphinfish and wahoo were already listed in the HMS Set Logbook. Those vessels already reporting in another federal logbook do not have any

additional reporting burden as long as the dolphinfish and wahoo catches are recorded in the other federal logbook.

Cost-earnings forms

Owners and operators of vessels with federal permits for HMS must maintain and submit a trip expense and earnings report within 30 days of completing the fishing trip, if selected to do so. The information on the cost-earnings form is used to calculate the revenues spent and on what products for a trip, and to calculate the profits of a trip and how those profits were dispersed. Data elements collected in cost-earnings form include the price and amount of fuel, bait, lightsticks, ice, and groceries used per trip, the total cost of the trip, the number of crew, and the shares the owner, captain, and crew obtained from the trip. For charter/headboats, required information could also include the number of passengers, the total fare receipts, and total costs for consumer goods and concession goods. NMFS would continue collecting economic data through an Annual Expenditures Form, which is mandatory for selected vessels.

Mandatory submission of the economic data is needed to accurately assess the economic impacts of any proposed fishery management regulations on fishermen and their communities as required by NEPA, [Executive Order 12866](#), the [Regulatory Flexibility Act](#) (RFA), and National Standards 7 and 8 of the Magnuson-Stevens Fishery Act. When cost-earnings reporting was initiated in 1996, there was a relatively high voluntary response rate (approximately 24 percent of all trips); however, in one year, the overall response rate fell to approximately 11 percent. In 1999, the overall response rate was approximately 10 percent. Additionally, analysis of the data revealed that self-selection resulted in an uneven data collection, with little to no information existing for some areas and much information for other areas. In summary, a voluntary program resulted in a data collection that could not be used to represent all segments of the fleet.

Mandatory collection of trip-specific cost-earnings data was implemented in 2002 on a trip level and annual level. Overall, trip level economic data improves estimates of profitability and cash flow; necessary elements for the regulatory impact analyses required by RFA and E.O. 12866. In addition, it improves estimates of the net benefits associated with different fishing areas, which is crucial for assessing effects of area and seasonal closures on fishermen. This economic information allows NMFS to better achieve resource conservation goals while mitigating economic impact on the fishermen, the vessel services sector, and dependent communities.

Additional impetus for mandatory economic data collection has resulted from the Small Business Regulatory Enforcement and Fairness Act of 1996, which amended the RFA to make compliance with the analytical requirements subject to judicial review, and the subsequent revision of NMFS' guidelines for economic analysis of fishery management actions, which focuses on the profitability of firms over both the short- and long-term. Analyses that can fully withstand legal challenges can only be performed with representative firm-level economic data.

For some data, it is not necessary to collect information on a per-trip basis. Thus, the Annual Expenditures Form includes information such as the cost of repairs and maintenance, all fishing supplies, insurance, purchase of capital, boat dockage, loan payments, and business taxes. This information was removed from the trip summary form and included on an Annual Expenditures Form in 2002.

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 requested in logbooks is used by various offices of NMFS, Regional Fishery Management Council staff, the U.S. Coast Guard, and state fishery agencies under contract to NMFS to develop, implement, and monitor fishery management strategies. Analyses and summaries of logbook and cost-earnings data are used by NMFS, the Regional Councils, the Departments of State and Commerce, OMB, the fishing industry, Congressional staff, and the public, to answer questions about the nature of fisheries resources. Information on endangered species or marine mammals and their incidental take is required from those fisheries where such interactions are likely to occur. These data help NMFS meet requirements under the [Marine Mammal Protection Act](#) and the [Endangered Species Act](#), and to respond appropriately.

The data will serve as input for a variety of analyses, such as: biological opinions and stock assessments; E.O. 12866 regulatory impact analyses; quota and allocation selections and monitoring; economic profitability profiles; trade and import tariff decisions; and identification of ecological interactions among species.

The logbook evolved as a means of collecting data from specific user groups within fisheries that are managed under federally implemented FMPs. For HMS, the Southeast Fisheries Science Center (SEFSC) has the responsibility for both preparation of stock assessments (estimation of maximum sustainable yield and/or other indexes of biomass) and collection of the scientific data that are required to perform the assessments. A secondary data collection responsibility is to provide information that is necessary to routinely monitor and evaluate the conditions in the HMS fisheries under federal management.

Similar data elements are required for most of the logbooks, although a few variables may be specific to one fishery or type of management technique controlling harvest.

- a) Information such as name, signature, and address of operator and owner are used to identify the respondent and the legal entity controlling the fishing practices of the vessel. This latter requirement is essential in monitoring the compliance of the reporting requirement, where revocation of the operator permit or fines are involved. Because many vessels are owned by corporations, identification of owner and operator on the logbook form is necessary.
- b) Data on date of departure, date returned, days fished, duration of tows or sets, units of gear, and mesh size used are all designed to quantify actual fishing effort. Fishing effort is needed to standardize differences in productivity among vessels or fishing grounds by establishing a rate of catch per unit time. These data allow comparisons over time, area and gear type of catches made by a variety of harvesters. Comparisons of catch and CPUE over time are significant indicators of the biological status of the fisheries. Declining CPUE, especially if data on fishing effort are sufficiently detailed to adjust for changes in effort, can provide critical information on the status of the stock.
- c) Area fished, depth of fishing, latitude and longitude are variables that are used to establish fishing locations. This information is related to other oceanographic and biological information to predict species availability and future abundance. For example, location of capture can be correlated to sea surface temperature measured by satellite to predict possible migration patterns. In addition, area or zone fished is used to cross reference locations where fishing is not permissible (such as closed areas).
- d) Species information such as landings, discards, and sizes of fish is the basic measure of fishing

success from which fishermen, biologists, and economists make inferences about the status of the fishery. Landings information is also needed because controlling the quantity of fish harvested is often the means for ensuring that stocks can be replenished over time.

e) Name of buyer, dealer number, and port of landing are data used to cross reference the quantity of fish caught with the quantity that is handled (processed) by the market. The important cross reference is between the total amount of catch, and the respective sizes of individual fish. It would be impossible for fishermen to measure individual fish as they are being caught and stored on board the vessels. However, many species of fish, especially the large pelagics, are individually weighed by the dealers and these weights are recorded as part of the sales transactions. By knowing the dealer that purchased the fish, cross references can be made between data submitted by the dealers and the data from the logbooks. Combining the data in this manner provides greater precision on the CPUE estimates and more information on the sizes of catches by location and time.

f) Cost-earnings information is used by various NMFS economists, Regional Fishery Management Council staff, and state fishery agencies under contract with NMFS to develop, implement, and monitor fishery management strategies. These data are used to assess community impacts, conduct cost-benefit analyses, and, in particular, develop regulatory impact analyses of proposed regulations as required by the RFA and suggested in NMFS' guidelines for economic analyses. Note that under the RFA definition, all fishing operations in HMS fisheries are defined as small entities.

The data elements collected on the cost-earnings trip summary form include variable trip costs (fuel, bait, ice, light sticks, groceries, etc.), total shared costs, and total costs. The specific form and instructions are attached.

The data elements collected on the Annual Expenditures Form include fishing gear, repair and maintenance expenses, insurance, dockage, etc. The specific form and instructions are attached.

Although the information collected is not expected to be disseminated directly to the public, it may be used in the development or review of fishery management plans, and is therefore subject to NOAA's Information Quality Guidelines. Summary data from logbook reports is included in the annual HMS SAFE Report, and contractors and grantees may be given access to raw logbook data after obtaining non-disclosure agreements with the NMFS Southeast Fishery Science Center (SEFSC). As explained in the preceding paragraphs, the information gathered has utility. NMFS retains control over the information and safeguards it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. Per the confidentiality rules in MSA, any release of summary data to the public must be anonymized at the level of the rule of three to protect confidential information. For agencies like the Coast Guard, any request for logbook data generally has to do with investigations into possible violations, and requests will generally be coordinated through NMFS Office of Law Enforcement and the SEFSC. 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.

HMS logbook forms are mailed to permit holders annually. The SEFSC and the NMFS Southeast Regional Office (SERO) are currently in the development stages with the Atlantic Coast Cooperation Statistical Program (ACCSP) to incorporate the HMS Logbooks and cost-earnings reports into the SAFIS eTRIPS electronic reporting system, with the potential to link data to vessel monitoring systems (VMS); implementation of this program is expected in the next year. The cost-earnings forms for the Atlantic Tunas General category and HMS Charter/Headboat category are also offered electronically.

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 Magnuson-Stevens Act operational guidelines require each FMP and regulatory amendment to evaluate existing state and federal laws that govern the fisheries in question, and the findings are made part of each FMP or regulatory amendment. These evaluations enable NMFS to identify other collections that may be gathering the same or similar information. In addition, each FMP undergoes extensive public comment periods where potential applicants review the proposed information collection requirements.

Different surveys (FHS, LPS, ALRS, etc., described in Question 1) were initially used to collect data from different people over different time frames. The programs serve different purposes, and some reporting overlap may occur to obtain the specialized information that each program provides. For example, FHS and LPS samplers both interview charter/headboat participants for total catch data, but LPS specifically targets HMS Charter/Headboat and Angling permit holders. The HMS Recreational Reporting program collects recreational bluefin tuna, billfishes, and swordfish landings data, and does not incorporate other HMS (e.g., sharks and non-bluefin tunas) data; however, these vessel trips may also be reported in the FHS or the LPS.

Detailed information on CPUE and species composition by gear and area may be available from other sources. Some states have logbook programs to collect similar information as required in the federal HMS logbook. Anyone filling out state logbooks with similar data fields is not required to complete and submit a federal logbook under this collection. The state logbook would suffice in lieu of the federal logbook, although a copy of the state logbook would need to be submitted to NMFS. Likewise, selected respondents who indicate that they are participating in other federal logbook programs under other FMPs are exempt from the requirements of this collection provided copies of the other logbook are submitted on a timely basis. The number of dolphin/wahoo permits in Table 1 (Question 12) are vessels that do not hold a federal permit for another federal fishery; therefore, these permit holders are not reporting in any other federal logbook.

Some owners of tuna vessels selected for logbook coverage may participate in the bluefin tuna fishery. Bluefin tuna landings must be reported through the automated landings reporting system (ALRS), a part of the HMS Recreational Reporting program, approved under OMB Control No. 0648-0328; thus, there would be some duplication. However, the ALRS report is limited to landings of bluefin tuna while the logbook would collect information on fishing effort and catch of all species. Therefore, the level of duplication would be small and is warranted due to the need to collect real-time harvest information for bluefin tuna. Billfish landings, also reported under ALRS, are monitored quarterly for compliance with an ICCAT-recommended landings limit of 250 marlin per year. Efforts are underway to incorporate ALRS data elements collected into SAFIS eTRIPS and GARFO eVTR program so that those required to

report in the various state and federal electronic logbook programs will no longer have to report their HMS catch separately via ALRS. The Recreational Billfish Survey, LPS, and ALRS are analyzed to identify and remove duplicative reports during quarterly reviews.

Trip expense data are not being collected by another state or federal office for any gear group included in the HMS fisheries except for HMS Angling permit holders which are being removed from this data collection. Data on trip and durable goods expenditures made by HMS Angling permit holders are collected every five years via an add-on to the Marine Angler Expenditure Survey. To the extent that vessels with other HMS permits are reporting via other federal fisheries logbooks (e.g., NE Multispecies OMB Control No. 0648-0212) and cost-earnings information is collected, vessel operators would be relieved of the duplicative requirements.

Individuals with an authorized exempted fishing permit are required to submit interim and annual reports for catches made while conducting the exempted activities. These catches must also be reported in the permit holder's logbook unless an exemption to the logbook reporting requirement is granted in their permit. This duplication in effort is necessary to monitor the exempted activities. The catches made while engaged in the exempted fishing activity must also be recorded in the logbook to accurately monitor the level of harvest for quota managed species

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

All of the applicants are considered small businesses; therefore, separate requirements based on size of business will not be developed. Individuals participating in other federal fisheries with similar logbook requirements are not required to submit two logbooks. Likewise, those completing state logbooks with similar data fields would not be required to complete and submit a federal logbook under this collection. NMFS annually provides the permit holders with the HMS logbook at no additional cost. The burden to the permit holder is minimized by providing post-paid envelopes or online reporting options. Paper logbooks and cost earning forms are bound with carbon copies, so there are no photocopying costs associated with the record keeping requirements. The carbon copies allow the permit holder to keep a copy for their own financial records. Additionally, the individuals required to submit the cost-earning report are randomly selected; therefore, the same individuals may not need to submit the detailed cost-earnings information each year.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The consequence of not having information on level of effort, gear type used, number and species of fish kept, and number and species of fish discarded is to increase the uncertainty involved in managing HMS fisheries and the inability to comply with domestic and international obligations. Estimates of HMS directed catch at both the annual level, and catch per unit effort data at the trip and set level, are essential for conducting regular stock assessments that are needed to meet the legal requirements of MSA and international reporting requirements under ATCA. Trip and set level catch data is also essential to assess the effectiveness and impact of proposed management measures. Finally, annual, trip, and set level bycatch data of protected species are essential for the monitoring and implementation of endangered species take reduction plans.

The consequence of not having a core set of economic data at the trip level is to increase the uncertainty

associated with how fishermen will respond behaviorally to changes in regulations, fishing conditions, and/or market conditions. Moreover, without this information, it is difficult to assess the economic impacts from a proposed regulation or to select the policy alternative that achieves a management goal at the lowest possible cost to the fisherman. To accurately capture fishery behavior and assess economic impacts, it is necessary to have economic information at the trip level since fishing operations, choice of fishing grounds, gear modifications, and targeting and marketing strategies change over the course of the season due to changes in species abundance across fishing sites and market demand across seasons and regions. This is especially true for the HMS fisheries in which individual vessel activity may vary throughout the Gulf of Mexico, Caribbean Sea, and off the Atlantic coast of Southeast, Mid-Atlantic, and New England states.

Another consequence of not having representative trip-level economic data could be judicial remand of conservation regulations challenged on grounds of inadequate analysis of economic impact to individual firms.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

The reporting regulations require selected vessel owners or operators to complete logbooks within 48 hours of making a set (or a trip for single day trips) and to submit all forms, except the cost-earnings form, no later than the seventh day after offloading the catch from a trip. It is critical that these data be timely. For fisheries that are overfished and/or subject to catch quotas, it is important to monitor fishing mortality. Also, the re-issuance of permits is predicated on compliance with the reporting requirements, and timely data are needed to determine whether fishermen are complying on a regular basis. Quality control of the logbook data is improved when the review and verification process is as close as possible to the actual time that fishing occurred.

It is necessary to collect this information more often than quarterly because trip-specific information is required and recall bias is a concern if the information is recorded long after the trip. The information requested is readily available at the end of each trip after the vessel is offloaded and settlement with the fish dealer is completed. Thus, selected fishermen will be required to submit the cost-earnings form 30 days after the catch is off-loaded from a trip. For information that is not readily available at the end of each trip, fishermen will be asked to submit an Annual Expenditures Form.

Respondents are required to submit logbook forms for each trip, and in the case of longline vessels each set of their gear. Collection of logbook data at the trip and set level is essential for monitoring quotas, and accurately estimating catch per unit effort for stock assessment purposes.

This information collection requires respondents to submit proprietary and confidential commercial and financial information, but this is allowed under Section 600 Subpart E of the Magnuson-Stevens Act. However, NMFS has implemented multiple procedures to protect the information's confidentiality to the extent permitted by law.

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 October 19, 2022 (87 FR 63480) solicited public comments. While no public comments were received from the FR notice, HMS has received a number of comments

over the years relevant to our logbook and catch reporting programs that we are actively working to address. Many fishermen have expressed a desire to see an electronic reporting option developed for the HMS logbook program. The SEFSC has been working with the Atlantic Coast Cooperative Statistics Program (ACCSP) to implement an electronic version of the HMS logbook program in their eTrips reporting system, and plans to make it available as a voluntary reporting option in 2023. NMFS chose eTrips as the best vehicle for implementing an electronic version of the HMS logbooks due to another common comment received from our permit holders, which is the desire to minimize duplicate reporting burden resulting from holding multiple permits issued by various regional federal and state authorities with their own reporting programs. As a federal and state partnership, ACCSP hands reporting for both federal and state fisheries authorities through their eTrips reporting system. Implementing the HMS logbook and cost-earnings reports on this platform will allow HMS permit holders to satisfy multiple regional reporting requirements simultaneously with the submission of a single report.

NMFS reached out to three fishermen to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. No comments were received in response to this request.

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

There are no payments or other remunerations to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

All data that are submitted to the NMFS are treated in accordance with [NOAA Administrative Order 216-100, Confidential Fisheries Statistics](#). It is Agency policy not to release confidential data, other than in aggregate form, as the Magnuson-Stevens Act protects (in perpetuity) the confidentiality of those submitting data. Whenever data are requested, the Agency ensures that information identifying the pecuniary business activity of a particular vessel is not identified. Further, data pertaining to landings that are released to the public are aggregated by time or location (e.g., monthly or regionally) in order to maintain the confidentiality of the fishermen with regard to their fishing behavior, as it is considered proprietary by some.

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.

No questions of a sensitive nature will be asked.

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

The anticipated number of respondents to report in both the catch logbooks and cost-earnings reports is

estimated in Part B and enumerated in Table B1.

The estimated time to complete the cost-earnings data reports continues to be 30 minutes as was submitted previously for the last renewal of OMB Control No. 0648-0371. For some sectors, predominantly swordfish, tuna, and shark longline fishermen, the reporting burden estimate may be as high as 30 minutes per response. In other sectors, however, the reporting burden estimate could be significantly less. Likewise, the estimated time to complete this form in the HMS charter/headboat fishery is estimated at 15 minutes because labor is typically salaried. However, because it is difficult to separate out those fishermen who use longlines and target tunas, swordfish, or sharks, NMFS submits a reporting burden estimate of **30 minutes for all fishermen**¹¹. At a maximum, it should take 30 minutes to complete the cost-earnings data trip summary report. The annual number of trip summary reports and no fishing reports expected from each respondent was calculated during the previous renewal of this PRA through an analysis of average number of trips per permit in each fishery (see Table 1 for the expected number of trip summary reports with catch, and no catch/no-fishing reports). This estimate remains unchanged, as fishing behaviors, including annual number of trips per fisherman, is unlikely to have changed.

Information is also collected annually about expenditures made infrequently throughout the year or only once per year from fishermen who were selected for the cost-earnings reports. Fishermen are required to submit the annual form by April 15 of the following calendar year so that they can use their accounting records organized during the preparation of their income tax returns. Our estimated time of 30 minutes to complete the annual form is based on the presumption that fishermen would already have organized their expenses for end-of-year tax purposes.

The number of respondents, the estimated number of responses, the time per response and the total burden estimate for completing the additional economic questions on the trip and annual reporting forms are shown in Table A1. The estimates below are based on recently and historically available permit holder information.

For the purposes of this burden estimate, it is assumed that the HMS logbook will be completed on all of the trips selected, which is a higher response rate than is likely to occur because of limited instances of non-compliance and reduced selections to date for HMS charter/headboats. Note that some charter/headboats and shark vessels have the option of completing a regional logbook in lieu of the HMS logbook to the extent that their participation in these fisheries also requires a logbook submission.

To estimate total annual wage burden costs, we used the estimated hourly wage rate (\$26.18) for first-line supervisors of farming, fishing, and forester workers provided the Bureau of Labor Statistics as of December, 2022 which can be found at <https://www.bls.gov/oes/current/oes451011.htm#nat>.

Table A1. Summary of reporting requirements and estimated reporting burden estimates for respondents in HMS fisheries and Dolphin/Wahoo only permit holders.

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents/year (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hours (e) = (c) x (d)	Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
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¹¹Some permits are issued by species, not by gear type. That is, a swordfish permit holder may be a longline fisherman, rod and reel fisherman, or harpoon fisherman. There is a similar situation for shark permit holders, whereas tuna fishermen are issued permits by gear type.

Trip Summary Reports	Fisherman	5,642	13	73,346	0.2 hours	14,669	\$26.18	\$384,039.66
No-Fishing/No Catch Reports	Fisherman	5,642	5	28,210	0.03 hours	846	\$26.18	\$22,156.13
Trip Cost-Earnings Reports	Fisherman	953	12	11,436	0.5 hours	5,718	\$26.18	\$149,697.24
Annual Expenditure Reports	Fisherman	953	1	953	0.5 hours	477	\$26.18	\$12,474.77
Totals				113,945		21,710		\$568,367.80

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).

Currently, all paper forms are provided to fishermen with pre-addressed postage paid envelopes. Electronic reporting is in place for some data collection programs and additional electronic reporting options are anticipated to be implemented on an optional basis in the near future. While NMFS provides postage-paid envelopes, it is possible that respondents could run out of envelopes or lose the envelopes and pay for postage on their own. However, this is a rare occurrence, and NMFS possesses no estimate of how frequently it occurs.

The paper logbook and cost-earnings forms are bound with carbon copies so there are no photocopy costs associated with the recordkeeping requirement for those forms. As the annual expenditures form is not carbon copied, there could be a minor cost of 10 cents to copy the form. Assuming all individuals selected for cost-earnings reports make copies of their annual expenditure form, the **total annual cost for the entire program is only \$95.30.**

Table A2. Annual cost burden to HMS logbook respondents.

Information Collection	# of Respondents/year (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)
Annual Expenditure Reports	953	1	953	\$0.10	\$95.30
TOTALS	13,190		113,945		\$95.30

***There are no capital costs or operating and maintenance costs associated with this information collection.**

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.

The loaded salaries were lifted from the catch/effort data collection activity plan developed for the FY2020 SEFSC PBR process. Those salary estimates were calculated from NOAA Management Analysis and Reporting System (MARS) salaries in 2019 plus an additional 3 percent to account for cost or living adjustments in 2020. MARS salaries include fringe costs. The percentage of time each

employee spent on the logbook activity was also lifted from the same activity plan. The cost categories included were:

- The HMS logbook costs associated with onsite quality control contractors that QC data forms received from fishermen before they are sent for entry, and follow up with fishermen when errors are detected after data entry.
- Offsite data entry of logbook forms received from fishermen
- Offsite storage of original submissions of logbooks from fishermen
- Printing costs associated with yearly printing of logbook forms that are sent to fishermen
- Pre-paid postage costs associated with returned logbook forms

Table A3. Costs to the federal government for implementing the HMS Logbook program.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	ZP-5 /2	\$254,000.00	5		\$12,700.00
Other Federal Positions	ZP-2/3	\$109,515.00	80		\$87,612.00
Other Federal Positions	ZP2/3	\$101,962.00	90		\$91,765.80
Other Federal Positions	ZT-2/3	\$90,046.00	90		\$81,041.40
Other Federal Positions	ZA-3/3	\$144,209.00	5		\$7,210.45
Other Federal Positions	ZT-2/3	\$90,046.00	90		\$81,041.40
Contract quality control		\$383,000.00	40		\$153,200.00
Contract data entry					\$4,328.00
Contract paper storage					\$2,963.00
Printing cost					\$7,908.00
Postage costs					\$57,993.50
Travel					\$0.00
Other Costs:					\$0.00
TOTAL					\$587,763.55

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

All changes in this renewal are adjustments due to minor increases in the number of HMS permits issued that are required to report in the HMS logbook program, and an increase in the BLS average hourly wage rate.

Table A4. Explanation of changes or adjustments to reporting burden estimates.

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	
Trip Summary Reports	5,642	5,513	73,346	71,669	14,669	14,334	Increase in respondents

No-Fishing/No Catch Reports	5,642	5,513	28,210	27,565	846	827	Increase in respondents
Trip Cost-Earnings Reports	953	945	11,436	11,340	5,718	5,670	Increase in respondents
Annual Expenditure Reports	953	945	953	945	477	473	Increase in respondents
Total for Collection	5,642	5,513	113,945	111,519	21,710	21,304	
Difference	129		2,426		406		

Table A5. Explanation of changes or adjustments to reporting costs to the public.

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Trip Summary Reports	\$384,039.70	\$361,928.45	\$0.00	\$0.00	Increase in respondents and hourly wage rate
No-Fishing/No Catch Reports	\$22,156.13	\$20,880.49	\$0.00	\$0.00	Increase in respondents and hourly wage rate
Trip Cost-Earnings Reports	\$149,697.20	\$143,167.50	\$0.00	\$0.00	Increase in respondents and hourly wage rate
Annual Expenditure Reports	\$12,474.77	\$11,930.63	\$95.30	\$94.50	Increase in respondents and hourly wage rate
Total for Collection	\$568,367.80	\$537,907	\$95.30	\$94.50	
Difference	\$30,460.73		\$0.80		

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.

The results from this collection are not planned for statistical publication but will be used as empirical input for analyses conducted for management and scientific purposes. Data are released to the public only in summary or tabular form (e.g., in summary tables throughout the annual Atlantic HMS SAFE Report).

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 forms for this collection will display the OMB Control Number and expiration date.

18. Explain each exception to the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).