

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Transshipment Requirements under the WCPFC**  
**OMB Control No. 0648-0649**

**Abstract**

This request is for an extension of a currently approved information collection. National Marine Fisheries Service (NMFS) has issued regulations under authority of the Western and Central Pacific Fisheries Convention Implementation Act (WCPFCIA; 16 U.S.C. 6901 et seq.) to carry out the obligations of the United States under the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention), including implementing the decisions of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC or Commission). The regulations include requirements for the owners and operators of U.S. vessels to: (1) complete and submit a Pacific Transshipment Declaration form for each transshipment that takes place in the area of application of the Convention (Convention Area) of highly migratory species caught in the Convention Area, (2) submit notice to the WCPFC Executive Director containing specific information at least 36 hours prior to each transshipment on the high seas in the Convention Area and within 12 hours after each emergency transshipment in the Convention Area, (3) in the event that a vessel anticipates a transshipment where an observer is required, provide notice to NMFS at least 72 hours before leaving port of the need for an observer, (4) complete and submit a U.S. Purse Seine Discard form within 48 hours after any discard, (5) submit daily purse seine fishing effort reports; (6) submit a notice to a contact designated by NMFS in the event of a serious illness, assault, harassment, intimidation or threat to a WCPFC observer; and (7) submit notice to obtain a WCPFC observer for a purse seine vessel departing from American Samoa. The information collected from these requirements is used by NOAA and the Commission to help ensure compliance with domestic laws and the Commission's conservation and management measures, and are necessary for the United States to satisfy its obligations under the Convention.

**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.**

Under the WCPFCIA, the Secretary of Commerce has the authority to develop and implement regulations to carry out the obligations of the United States (U.S.) as a Contracting Party to the Convention and a Member of WCPFC. The Convention, which established WCPFC, provides for the conservation and management of target stocks, non-target species, and species belonging

to the same ecosystem or dependent upon or associated with the target stocks.

The U.S. is obligated to implement the Conservation and Management Measures (CMMs) adopted by the WCPFC. The National Marine Fisheries Service (NMFS) has been delegated the responsibility for implementing CMMs and other decisions of the WCPFC via rulemaking.

This request is for a renewal of a currently approved information collection.

In December 2009, the WCPFC adopted CMM 2009-06<sup>1</sup>, “Conservation and Management Measure on the Regulation of Transshipment”. Specific obligations under CMM 2009-06 include the following: (1) require operators of vessels that offload or receive transshipments, at sea or in port, to provide specific information detailing the location of transshipment and particular products being transshipped; (2) require that notice be submitted to the WCPFC at least 36 hours prior to each transshipment on the high seas in the area of application of the Convention (Convention Area) or at least 36 hours prior to each transshipment on the high seas of fish caught in the Convention Area and transshipped on the high seas elsewhere and within 12 hours of the completion of the transshipment in the case of an emergency transshipment that would otherwise be prohibited; and (3) require that observers be carried on vessels to monitor transshipments, with the specific observer requirements depending on the length of the receiving vessel and the type of fish being transferred.

The provisions of CMM 2009-06 apply to all transshipments that take place in the WCPFC Convention Area of any highly migratory fish species (HMS) covered by the Convention, as well as all transshipments of HMS taken in the Convention Area that take place outside that area. Among the objectives of the CMM is to establish procedures to obtain and verify data on the quantity and species transshipped in the Convention Area to ensure accurate reporting of catches, so that stock assessments of HMS include better data. The CMM is premised on the recognition that unregulated and unreported transshipment of catches of HMS at sea contributes to inaccurate reporting of the catches of such stocks, and supports illegal, unreported, and unregulated (IUU) fishing activities.

In December 2010, the WCPFC adopted CMM 2010-02, “Conservation and Management Measure for the Eastern High-Seas Pocket Special Management Area.” This measure applies to the area of the high seas bounded by the Exclusive Economic Zones of the Cook Islands to the west, French Polynesia to the east, and Kiribati to the north, and requires HMS vessels to submit reports with specific information, including catch data, at least six hours prior to entry and no later than six hours prior to exiting this area of the high seas. The measure seeks to reduce IUU fishing. The WCPFC amended this measure in 2016 (see CMM 2016-02, “Conservation and Management Measure for the Eastern High-Seas Pocket Special Management Area,”) so that the entry and exit reports are no longer required. However, CMM 2016-02 included a new provision that requires all transshipment activity in the Eastern-High Seas Pocket Special Management Area be prohibited.

CMM 2009-02 “Conservation and Management Measure on the Application of High Seas FAD<sup>2</sup>

---

1 All CMMs may be found at this link: <http://www.wcpfc.int/conservation-and-management-measures>

2 Fish Aggregating Device

Closures and Catch Retention,” adopted by the WCPFC in December 2009, contains reporting requirements for discards of fish from purse seine vessels.

In December 2013, the WCPFC adopted CMM 2013-01, “Conservation and Management Measure for Bigeye, Yellowfin and Skipjack Tuna in the Western and Central Pacific Ocean”. Specific obligations for the United States under CMM 2013-01 include limiting the number of sets made on FADs each year to specified levels. If NMFS determines that the limit is expected to be reached, it would issue a notice in the *Federal Register* announcing the applicable dates of specific FAD-related prohibitions.

In December 2016, the WCPFC adopted CMM 2016-03, “Conservation and Management Measure for the Protection of WCPFC Regional Observer Programme Observers”. This measure was revised and replaced in 2017 by CMM 2017-03. CMM 2017-03 contains reporting requirements in the event of death, serious illness or serious injury, assault, harassment, intimidation, or threat to a WCPFC observer or if a WCPFC observer is missing or presumed to have fallen overboard.

In December 2017, the WCPFC adopted CMM 2017-01, “Conservation and Management Measure for Bigeye, Yellowfin and Skipjack Tuna in the Western and Central Pacific Ocean”. Specific obligations for the United States under CMM 2017-01 include limiting the number of fishing days used by the U.S. purse seine fleet in the U.S. Exclusive Economic Zone and on the high seas to specified levels. If NMFS determines that a limit is expected to be reached, it would issue a notice in the *Federal Register* announcing the applicable dates of a purse seine fishing closure. Unlike CMM 2013-01, CMM 2017-01 does not include a FAD-set limit.

NMFS implemented the requirements of CMM 2009-06, CMM 2010-02, 2017-01, 2016-02, the catch discard reporting requirements of CMM 2009-02, the FAD-related requirements of CMM 2013-01, and the requirements of CMM 2017-03 via rulemaking.

The WCPFC and the Inter-American Tropical Tuna Commission (IATTC) adopted decisions addressing management of the area overlapping jurisdiction between the WCPFC and the IATTC (overlap area) in 2012 (IATTC Recommendation C-12-11, “IATTC-WCPFC Overlap Area,” and the WCPFC decision documented in “Summary Report of the Ninth Regular Session of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean,” Manila, Philippines, 2-6 December, 2012, paragraph 80). NMFS implemented those decisions in 2016 (see final rule published April 26, 2016; 81 FR 24501). NMFS implemented a new rule in 2020 to change management of the overlap area (see final rule published June 22, 2020; 85 FR 37376).

**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.**

Transshipment CMM (CMM 2009-06)

The owner or operator of any U.S. commercial fishing vessel that offloads or receives

transshipment in the Convention Area of HMS or a transshipment of HMS caught in the Convention Area is required to complete and submit to NMFS a form ("Pacific Transshipment Declaration Form") for each transshipment that takes place. Information specified on the form will need to be recorded within 24 hours after the time of completion of the transshipment. Due dates for submittal of the completed original form will depend on the nature of the transshipment and whether the vessel owner or operator is subject to existing regulations for transshipment data collection. For vessels licensed under the South Pacific Tuna Treaty (Treaty) (pursuant to 50 CFR § 300.32), the original form will be required to be submitted to the NMFS Pacific Islands Regional Administrator by the due date specified for submitting the existing original transshipment logsheet form to the Treaty Administrator (currently the Pacific Islands Forum Fisheries Agency) at 50 CFR § 300.34(c)(2). Vessels registered under 50 CFR § 660.707 will be required to submit the original form to the NMFS Pacific Islands Regional Administrator by the due date specified for the logbook form at 50 CFR § 600.708. Vessels subject to the requirements of 50 CFR § 665.801(e) are required to submit the original form to the NMFS Pacific Islands Regional Administrator by the due date specified for submitting the transshipment logbooks at 50 CFR § 665.14(c). For transshipments on the high seas and emergency transshipments, vessels must submit a copy of the form by fax or email to the NMFS Pacific Islands Regional Administrator no later than 10 calendar days after the completion of the transshipment; the original form must be submitted no later than 15 days after the vessel first enters into port. For all other transshipments, vessels must submit the original form to the NMFS Pacific Islands Regional Administrator no later than 72 hours after the vessel first enters port. Required information includes offloading and receiving vessel information, gear type, description of the products being transshipped (including species, processed state and amount in metric tons of each species), date and location of catch and transshipment, WCPFC observer information, if applicable, and quantity and geographic origin of both the product being transshipped and product already on board the receiving vessel.

Owners or operators of any U.S. commercial fishing vessel are required to submit notice to the WCPFC Executive Director containing specific information at least 36 hours prior to each transshipment on the high seas in the Convention Area or of fish caught in the Convention Area and transshipped on the high seas elsewhere. In the case of an emergency transshipment that would otherwise be prohibited, owners or operators of any U.S. commercial fishing vessel are required to submit notice to the WCPFC Executive Director containing specific information within 12 hours of the completion of the transshipment. The notice is to be provided by fax or email and includes the following information: (1) the name of the offloading vessel and the vessel identification markings located on the hull or superstructure of the offloading vessel; (2) the name of the receiving vessel and the vessel identification markings located on the hull or superstructure of the receiving vessel; (3) description of the product being transshipped, including species, processed state, and amount in metric tons of each species; (4) date and projected location of transshipment; and (5) required for the offloading vessel only, geographic location of the HMS catches to be transshipped. A copy of the notice should also be provided to NMFS.

Owners or operators of any U.S. commercial fishing vessel anticipating a transshipment where an observer is required are required to provide notification to NMFS at least 72 hours (not including weekends and holidays) before leaving port of the need for an observer. The

notification includes the name of the vessel, name of the operator, intended departure and return date, and a telephone number at which the owner or operator may be contacted.

Data collected is used by NMFS and the WCPFC to verify the quantity of HMS transshipped in the Convention Area to ensure accurate reporting of catches, to enhance stock assessments of HMS stocks and to obtain information needed by NMFS, the National Oceanic and Atmospheric Administration's (NOAA) Office of Law Enforcement (OLE), and the WCPFC to monitor the activities of the vessels fishing in the Convention Area and the performance of the fisheries. The information is collected by NMFS on behalf of the U.S. Government and will be provided to the WCPFC in accordance with the CMM.

NMFS has specific regulations implementing WCPFC decisions from application in the overlap area and applied specific regulations implementing IATTC decisions. Thus, the emergency transshipment and high seas transshipment notification requirements and transshipment observer notification requirements no longer apply in the overlap area, and the requirements to complete and submit a Pacific Transshipment Declaration Form no longer apply if fish is caught and transshipped entirely within the overlap area. The Pacific Transshipment Declaration Form is still required for fish caught in the Convention Area outside the overlap area and then transshipped within the overlap area. However, the removal of these requirements in the overlap area would not affect the estimates of cost or burden of this information collection requirement. It is unknown whether any transshipments would take place in the overlap area, and thus the cost and burden estimates are based on the likelihood of transshipments taking place anywhere in the Convention Area, including the overlap area.

#### Purse Seine Discard Reports (CMM 2009-02)

The owner or operator of any U.S. purse seine vessel is required to complete and submit to the WCPFC Executive Director a form ("U.S. Purse Seine Discard Form") containing specific information regarding the discard at sea of any catch within 48 hours after any discard. Completed forms will have to be submitted by fax or email and include the following information: (1) vessel name; (2) international radio call sign; (3) license number (WCPFC Area Endorsement Number); (4) name of vessel operator; (5) nationality of vessel operator; (6) name of observer on board; (7) date and time of discard; (8) location of discard; (9) date and time of set; (10) location of set; (11) type of set; (12) reason for discard; (13) amount of fish discarded by species; and (14) amount of retained fish from the set by species. A copy of the form is also to be provided to NMFS by fax or email within 48 hours after any discard and a hard copy of the form will have to be provided to the observer on board the vessel. Under the final rule for the overlap area, NMFS removed specific regulations implementing WCPFC decisions from application in the overlap area and applied specific regulations implementing IATTC decisions. Thus, the discard reports would no longer apply in the overlap area. However, the removal of this requirement in the overlap area would not affect the estimates of cost or burden of this information collection requirement. It is unknown how many discards would take place in the overlap area, and thus the cost and burden estimates are based on the likelihood of discards taking place anywhere in the Convention Area, including the overlap area.

This collection of information is used to ensure accurate reporting of catches, to create a disincentive to the capture of small fish and to encourage the development of technologies and

fishing strategies designed to avoid the capture of small bigeye tuna and yellowfin tuna.

#### Daily Purse Seine Fishing Effort Reports (CMM 2017-01)

Under existing requirements, U.S. purse seine vessel owners and operators are required to submit to NMFS “Catch Report Forms”, also known as “Regional Purse Seine Logs” or “RPLs,” after each trip, about five of which are made per vessel per year, which include information on the fishing activity of the vessel. However, NMFS does not receive that logbook information until after the vessel returns to port. Previously, there had been a reporting requirement regarding the number of FAD sets to estimate an annual FAD set limit, but there is no longer a FAD set limit in place. As a result, it has been difficult for NMFS to project fishing effort with respect to the specified annual limits in a timely and reliable manner. For that reason, NMFS has modified the FAD set reporting requirement.

For the purpose of estimating and projecting fishing effort limits with respect to the annual limits the owner and operator of the vessel may be required to submit a report to NMFS with the following information within 24 hours at the end of each day that the vessel is on a fishing trip in the Convention Area: the activity of the vessel, location, and type of set if a set was made during that day.

Under the final rule for the overlap area, NMFS specific regulations implementing WCPFC decisions from application in the overlap area and applied specific regulations implementing IATTC decisions. Thus, these requirements would no longer apply for fishing activity within the overlap area. However, the removal of this requirement in the overlap area would not affect the estimates of cost or burden of this information collection requirement. It is unknown how much fishing activity would take place on a given day solely in the overlap area, and thus the cost and burden estimates are based on the likelihood of daily fishing effort taking place anywhere in the Convention Area, including the overlap area.

The information collected will be used by NMFS to estimate and project the number of fishing days used by the U.S. purse seine fleet fishing in the WCPO and to determine when a specific annual limit is expected to be reached. The collected data will be disseminated to the public only in aggregated form – such as for notifying the public of the total effort tally to date, or in synthesized form - such as incorporated into analyses presented in scientific or enforcement technical reports.

NOAA complies with Section 515 of Public Law 106-554 (the Information Quality Act), for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by federal agencies. If the data are used as supporting information disseminated to the public, they will be in aggregate or synthesized form, such as in scientific and enforcement technical reports (e.g., regarding total catch/ total fishing effort, discards, and transshipment patterns). See Question 10 for information about confidentiality.

#### Observer Safety (CMM 2017-03)

The owner or operator of any U.S. commercial fishing vessel is required to submit a notice to a

contact designated by NMFS in the event of a serious illness, assault, harassment, intimidation or threat to a WCPFC observer. Data collected will be used by NMFS to ensure the safety and well being of WCPFC observers.

The owner and operator of any U.S. purse seine vessel requesting a WCPFC observer is required to submit notification to NMFS prior to the trip start date. Data collected will be used by NMFS to facilitate placement of WCPFC observers on U.S. purse seine vessels.

The owner and operator of any U.S. commercial fishing vessel is required to submit a notification to NMFS when requesting placement of a cross-endorsed observer<sup>3</sup> 5 business days prior to the trip start date. Data collected will be used by NMFS to ensure notification procedures are followed for placement of WCPFC-IATTC cross-endorsed observers to the WCPFC and IATTC.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

The majority of Pacific Transshipment Declaration Forms are collected in electronic form; forms for high seas transshipments or emergency transshipments may also be submitted by fax or email to meet the required deadline. Prior notice for high seas transshipment, prior notice of emergency transshipments, and the U.S. Purse Seine Discard Forms are provided directly to the WCPFC Secretariat by fax or email. NMFS understands that some vessels (other than Purse Seine Vessels) may not be equipped with fax or email capabilities, in which case owners and operators of these vessels could, for example, have crew members radio the required information to a shore contact or to another vessel, which could then submit the notice to the required recipients by fax or email. Vessel owners/operators required to provide pre-trip notifications to NMFS for observer placement are able to do so by email or telephone. Vessel owners/operators required to notify NMFS in the event of serious illness, assault, harassment, intimidation or threat are able to do so via telephone.

If required, daily purse seine fishing effort reporting must be submitted by email or other electronic means, such as electronic logbook reporting systems that may from time to time be specified by the NMFS Regional Administrator, Pacific Islands Regional Office.

All forms and related instructions are made available to the public on the NMFS Pacific Island Regional Office website (<https://www.fisheries.noaa.gov/pacific-islands/resources-fishing/regulation-summaries-and-compliance-guides-pacific-islands>).

---

<sup>3</sup> A cross-endorsed observer is an observer that is “cross-endorsed” pursuant to a Memorandum of Cooperation between the WCPFC and the Inter-American Tropical Tuna Commission (IATTC) that specifies a process to allow the observer to meet the observer requirements of both organizations.

**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.**

NMFS carefully considered whether there were collections by other Federal agencies or state or territorial agencies that might meet the information needs presented above. It was concluded that no other collections, besides the requested collecting information, would meet these reporting requirements.

Under existing regulations, owners and operators of vessels licensed under the regulations (50 CFR 300.32) implementing the Treaty must submit a transshipment logsheet form for each transshipment made (OMB Control No: 0648-0218). The current provisions of the Treaty require the submission of the existing specific transshipment logsheet form. With this collection, affected vessel owners and operators are required to complete and submit both the form required by the Treaty and the Pacific Transshipment Declaration Form so long as the existing requirements to implement the Treaty remain in effect. NMFS anticipates that the Pacific Transshipment Declaration Form will eventually replace the existing transshipment logsheet form required by the regulations implementing the Treaty.

Under existing regulations, owners and operators of vessels registered to receive transshipments of longline-caught fish in the U.S. Exclusive Economic Zone (EEZ) are required to submit a transshipment logbook (this reporting requirement is part of a separate information collection, OMB Control No. 0648-0218) containing report form provided by NMFS for each day of transshipment activity (50 CFR 665.14(c) and 50 CFR 665.801(e)). With this collection, NMFS has replaced the transshipment logbook form currently in use with the Pacific Transshipment Declaration Form. Thus, owners and operators of vessels receiving transshipments of longline-caught fish in the U.S. EEZ will be required to submit only one form for a given transshipment.

Owners and operators of vessels that would be subject to regulations implementing the IATTC “Amendment to Resolution C-11-09 on Establishing a Program for Transshipments by Large-Scale Fishing Vessels” (Resolution C-12-07) that offload or receive transshipments in the IATTC Area are also required to complete and submit to NMFS a Pacific Transshipment Declaration Form – the development of these regulations is the subject of a different rulemaking. In such cases where a vessel is subject to the transshipment requirements of the WCPFC and the IATTC (e.g., transshipment of fish caught in the WCPFC Area while in the IATTC Area), owners and operators are required to submit only one Pacific Transshipment Declaration Form to the address specified by NMFS.

Under existing regulations, vessels fishing for HMS in the management area of the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species must maintain on board the vessel an accurate and complete record of catch, effort and other data on report forms provided by the NMFS West Coast Regional Administrator (OMB Control No. 0648-0148). The current version of the form that is used by albacore troll vessels (the only fleet managed under that Fishery Management Plan that is currently active in the Convention Area) includes information about at-sea transshipments. However, the information in the existing logbook form requires only general information regarding transshipments – the date, offloading vessel, and



amount. With this collection, vessel owners and operators subject to the requirements at 50 CFR Part 660 and the requirements of the WCPFC management measures are required to submit the existing transshipment form, as well as the Pacific Transshipment Declaration Form.

The purse seine discard reporting requirement, which applies only to purse seine vessels, will overlap with an existing reporting requirement at 50 CFR § 300.34(c)(1) for vessels licensed under the Treaty. The existing requirement to maintain and submit “catch report forms,” also known as “Regional Purse Seine Logsheets” or “RPLs”, calls for information on fishing effort and catches, including information on the amount of fish, by species, that is discarded each day, including the reason for each such discard. The timing and recipients of the existing reports differ in some respects. The report must be submitted to the WCPFC and to NMFS within 48 hours after each discard event, with a hard copy provided to the observer on board the vessel. The existing report must be submitted to and received by NMFS within two days after the vessel next reaches port. In addition, it must be submitted to the Treaty Administrator (currently the Pacific Islands Forum Fisheries Agency) within 14 days after the vessel next reaches port. Furthermore, the existing report must be sent on a particular form that is specified under the Treaty and cannot be changed in U.S. regulations unless and until the Treaty is amended accordingly. Because of these differences, the requirement not only overlaps with the existing requirement but duplicates it to a large extent, unless and until the regulations implementing the Treaty are amended in such a way that the duplication can be removed.

Under existing regulations, owners and operators of vessels licensed under the regulations (50 CFR § 300.34(c)(1)) implementing the Treaty must maintain and submit “catch report forms”, also known as “Regional Purse Seine Logsheets” or “RPLs”, which includes information on fishing activity. Thus, the daily purse seine fishing effort report element of this collection would duplicate one aspect of an existing information collection. However, NMFS does not receive the logbook information until after the vessel returns to port, which is too late for the purpose of estimating and projecting fishing effort limits in a timely and reliable manner, so the duplication is necessary.

Under existing regulations at 46 CFR 4, owners and operators of vessels must notify the U.S. Coast Guard for marine casualties which apply in the event of death, missing or presumed fallen overboard, or serious injury of an observer. NMFS is not promulgating additional regulations for cases of death, missing or presumed fallen overboard, or serious injury of an observer. NMFS is only requiring notification in the event of serious illness, assault, harassment, intimidation or threat which are not covered by U.S. Coast Guard regulations.

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

Most of the fishing operations subject to this collection of information are considered small businesses. Efforts have been made to avoid duplication in reporting requirements and all data collected have been deemed necessary by the Contracting Parties to the Convention, including the United States.

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

If the information is not collected, the U.S. government would not meet its obligations as a Contracting Party to the Convention and a member of the WCPFC, and would consequently fail to satisfy the provisions of the WCPFCIA. These requirements are based on the recognition that unregulated and unreported transshipments of catches of HMS at sea contribute to inaccurate reporting of catches of such stocks and supports IUU fishing activities and that data regarding the implementation of the purse seine catch retention requirement are needed. The lack of transshipment data from the U.S. HMS fleets operating in the Convention Area and the lack of discard data for the U.S. purse seine fleet would provide a disincentive to the other fishing nations in the region to provide accurate transshipment data and purse seine discard data for their fleets. Thus, the effective management of the fishery resources under the WCPFC would be compromised. Without the daily purse seine fishing effort report element of this collection, the U.S. government would not be able to estimate and project when a fishing effort limit would be reached by U.S. purse seine vessels in the Convention Area in a timely and reliable manner, thereby making it difficult to determine when the effort limits mandated by the WCPFC have been reached and to prohibit fishing when they have been reached. A lack of reporting on events related observer safety could endanger observers. If prior notification is not received for purse seine vessels requiring a WCPFC observer or for vessels requesting a WCPFC IATTC cross-endorsed observer, vessel departures could be delayed.

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

The collection is consistent with OMB guidelines except that the transshipment report, notice of high seas transshipment or emergency transshipment, pre-trip notification for observer placement, purse seine discard reports, daily purse seine fishing effort reports, and observer safety notifications will be completed for each relevant activity and as such, more frequently than quarterly. This frequency of information collection is mandated by the decisions of the WCPFC and has been determined to be necessary to ensure compliance with its conservation and management measures.

**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 notice regarding the information collection on February 2, 2024 (89 FR 7378) for public review and comment. The comment period ended on April 2, 2024, and no comments were received. Efforts were made to solicit comments via email from two affected stakeholders regarding the information collection. One response was received with no suggestions on improvements and indicated that the estimated labor is generally accurate and that completing the reporting requirements is not overly burdensome.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

Neither payments nor gifts will be provided 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.**

As stated on the forms, information submitted to NMFS will be managed as confidential data, as appropriate, consistent with the requirements of NOAA Administrative Order 216-100, Section 506(d) of the WCPFCIA, and regulations under 50 CFR Part 300. Transshipment information, discard information, information on purse seine fishing effort and observer safety notifications will be safeguarded from improper access, modification, or destruction, to a degree commensurate with the risk and magnitude of harm that could result from the loss, misuse, or unauthorized access to or modification of such information. However, NOAA and NMFS have no direct control over the confidentiality policies and practices of the WCPFC, so once the information is transmitted to the WCPFC, NMFS and NOAA cannot provide any assurance of confidentiality. Although the WCPFC does have policies and procedures in place to control the dissemination of sensitive data, such policies and procedures are not necessarily the same as those of NMFS.

**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.**

This information collection does not involve information of a sensitive nature.

12. Provide an estimate in hours of the burden of the collection of information.

Information Collection	Type of Respondent (Occupational Title)	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hrs (e) = (c) x (d)	Mean Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Pacific Transshipment Declaration Form	45-1011	203	0.014778325	3	1	3	29.23	87.69
Notice for High Seas Transshipment or Emergency Transshipment	45-1011	203	0.014778325	3	0.25	0.75	29.2	21.9225
Pre-trip Notification for Transshipment Observer Placement	45-1011	183	0.005464481	1	0.01666667	0.166667	29.2	0.48716667
Purse Seine Discard Form	45-1011	20	7	140	0.5	70	29.2	2046.1
Daily Purse Seine Fishing Effort Report	45-1011	20	264	5280	0.16666667	880	29.2	25722.4
Observer Safety Notification	45-1011	203	0.004926108	1	0.08333333	0.8333333	29.2	2.43583333
Pre-trip Notification for Purse Seine Vessels requesting a WCPFC observer	45-1011	20	3.3	66	0.08333333	5.5	29.2	160.765
<b>Totals</b>				<b>5,494</b>		<b>959.35</b>		<b>28,041.8</b>

Wage rate information for First Line Supervisors of Farming, Fishing, and Forestry Workers was obtained from [www.bls.gov/oes](http://www.bls.gov/oes).

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above). (add rows as necessary)**

Information Collection	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c)=(a) x (b)	Cost Burden / Respondent (h)	Total Annual Cost Burden (i) = (c) x (h)
Pacific Transshipment Declaration Form	203	0.014778325	3	1	3
Notice for High Seas Transshipment or Emergency Transshipment	203	0.014778325	3	1	3
Pre-trip Notification for Transshipment Observer Placement	183	0.005464481	1	1	1
Purse Seine Discard Form	20	7	140	1	140
Daily Purse Seine Fishing Effort Report	20	264	5280	1	5280
Observer Safety Notification	203	0.004926108	1	1	1
Pre-trip Notification for Purse Seine Vessels requesting a WCPFC observer	20	3.3	66	1	66
<b>TOTALS</b>			<b>5,494</b>		<b>5,494</b>

**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
Process notice of high seas transshipments and emergency transshipments, pre-trip notifications for observer placement and requests for WCPFC observers for purse seine vessels	ZP 3 Step 2	96,395	0.58297396		\$ 562
Processing Observer Safety notifications	ZA 2 or 3	68,733	0.23957843		\$ 165
<b>Contractor Cost</b>					
Process all Transshipment forms and U.S. discard forms		41,470	1.11803226		\$ 467
Processing Daily Purse Seine Fishing Reports		41,470	21.0828941		\$ 8,800
<b>Travel</b>					
<b>Other Costs: Printing Pacific Transshipment Declaration Forms and U.S. Purse Seine Discard Forms</b>					17
<b>TOTAL</b>					<b>10,010</b>

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

The following tables show the changes and in the number of respondents, responses, time estimates, labor costs, and miscellaneous costs; and explains the reasons for these changes.

Information Collection	Respondents		Responses		Burden Hours		Reason for change or adjustment
	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	
Transshipment Report	203	208	3	208	3	208	1 additional troll vessel added & less transshipments occurring from PS vessels
Notice for High Seas Transshipment or Emergency Transshipment	203	202	3	15	1	4	less transshipments occurring from PS vessels
Pre-trip Notification for Transshipment Observer Placement	183	182	1	5	0	1	less transshipments occurring from PS vessels
Purse Seine Discard Report	20	40	140	566	70	283	Less discard reports per vessel expected
Daily Purse Seine Fishing Effort Report	20	40	5280	9875	880	1646	Slight increase in number of events per vessel expected
Observer Safety Notification	203	202	1	1	0	0	1 additional troll vessel added
Pre-trip Notification for Purse Seine Vessels requesting a WCPFC Observer	20	40	66	71	5	1	less fishing trips per vessel on average
<b>Total for Collection</b>	<b>852</b>	<b>914</b>	<b>5494</b>	<b>10,741</b>	<b>959</b>	<b>2143</b>	
<b>Difference</b>	<b>-62</b>		<b>-5,247</b>		<b>-1,184</b>		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Transshipment Report	87.69	244.2	3	10	1 additional troll vessel added & less transshipments occurring from PS vessel
Notice for High Seas Transshipment or Emergency Transshipment	21.9225	18.315	3	3	1 additional troll vessel added but wages have increased
Pre-trip Notification for Transshipment Observer Placement	0.487166667	0.407	1	1	1 additional troll vessel added but wages have increased
Purse Seine Discard Report	2046.1	3418.8	140	280	Less discard reports per vessel expected
Daily Purse Seine Fishing Effort Report	25722.4	20757	5280	5100	Slight increase in number of events per vessel but wages have increased
Observer Safety Notification	2.435833333	2.035	1	1	1 additional troll vessel added but wages have increased
Pre-trip Notification for Purse Seine Vessels requesting a WCPFC Observer	160.765	150.59	66	74	less fishing trips per vessel on average but wages have increased
<b>Total for Collection</b>	<b>28,041.80</b>	<b>24,581.34</b>	<b>5,494</b>	<b>5,469</b>	
<b>Difference</b>		<b>\$3,450.43</b>		<b>25</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.**

No formal scientific publications based on these collections are planned at this time. NMFS and the WCPFC will use the data primarily in aggregated, non-confidential format. Subsequent use of the data collected over a series of years may include scientific papers and publications.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

The expiration date for OMB approval of the information collection will be displayed on all forms.

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

The agency certifies compliance with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).