

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Reporting Requirements for the Ocean Salmon Fishery Off the Coasts
of Washington, Oregon, and California
OMB Control No. 0648-0433

Abstract

This request is for a revision of a previously approved information collection.

Timely and accurate accounting of salmon catch data for a regulatory area subject to quota management is necessary for quota assessment. Requirements to land salmon within specific time frames and in specific areas may be implemented to aid in the catch monitoring process. However, if unsafe weather conditions or mechanical problems prevent compliance with landing requirements, salmon fishermen are exempt, provided the appropriate notification is made as specified annually in the preseason regulations. Therefore, the annual management measures will include provisions to exempt commercial salmon fishermen from compliance with the landing requirements when they experience unsafe weather conditions or mechanical problems at sea, so long as the appropriate notifications are made by, for example, at-sea radio and cellular telephone, and information on catch and other required information is given, under this collection of information. The annual management measures will specify the contents and procedure of the notifications, and the entities receiving the notifications (e.g., U.S. Coast Guard). The purpose and benefit of the collection are to manage salmon quotas while providing for safety at sea. The scope of the collection is landing data that would normally be reported directly to the appropriate state.

NOAA's National Marine Fisheries Service (NMFS) is proposing to implement measures to keep fishery impacts within conservation objectives for the California Coastal (CC) Chinook salmon. The information collection would assist in the management of the landing and possession limits for the California commercial salmon troll fishery. The State of California requires that fish tickets with the number of Chinook salmon landed be entered into the California Department of Fish and Wildlife (CDFW) electronic landing database. Based upon the final ruling of RIN 0648- BM68 ***"Fisheries Off West Coast States; West Coast Salmon Fisheries; Measures To Keep Fishery Impacts Within the Conservation Objective for the California Coastal Chinook Salmon"*** NMFS would require that this be completed within 24 hours of landing. Public reporting burden for fish ticket submission is estimated to average 0 hours because the California Code of Regulations will already require the submission.

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.

Report of salmon landing information during unsafe conditions

Based on the management regime specified each year by NMFS, designated regulatory areas in the commercial ocean salmon fishery off the coasts of Washington, Oregon, and California may be managed by numerical quotas (by salmon species). Quotas are necessary to ensure that the allowable levels of ocean harvest of salmon are not exceeded in these areas. To accurately assess catches relative to quota

attainment during the fishing season, catch data by regulatory area must be collected in a timely manner. Requirements to land salmon within specific time frames and in specific areas may be implemented in the preseason regulations to aid in timely and accurate catch accounting for a regulatory area.

If unsafe weather conditions or mechanical problems prevent compliance with landing requirements, fishermen are exempt from these landing requirements so long as the appropriate notifications are made by at-sea radio and cellular telephone, and information on catch and other required information is given. The preseason regulations will specify annually the contents and procedure of the notifications, and the entities receiving the notifications. The information collection is intended to be general in scope by leaving the specifics of the notifications for annual determination, thus providing flexibility in responding to salmon management concerns in any given year.

This federal collection of information concerning alternative reporting in unsafe conditions has implemented uniform reporting requirements across the entire geographic range of the commercial ocean salmon fishery and, thus, resolves the problem associated with reliance on each state to independently implement the same requirements in the territorial waters off of each state (Washington, Oregon, and California).

Authority for the collection is provided by: (1) 50 CFR 660.408, and (2) the Magnuson-Stevens Fishery Conservation and Management Act of 1996, 16 USC 1801 *et seq.*, as amended through 2007, which states at 16 USC 1855(d) that "The Secretary shall have general responsibility to carry out any fishery management plan or amendment approved or prepared by him, in accordance with the provisions of this Act."

Fish ticket reporting

NMFS is implementing a set of management measures recommended by the Pacific Fishery Management Council (Council) to ensure fishery impacts on CC Chinook salmon, which are listed as threatened under the Endangered Species Act, remain within the conservation objective in the Council's Pacific Coast Salmon Fishery Management Plan (Salmon FMP). Under the proposed rule, management tools (e.g., trip limits (also known as landing and possession limits) and inseason management) consistent with the provisions of the Salmon FMP would be used to provide greater certainty in avoiding exceedances of the conservation objectives for CC Chinook salmon.

The rule would require implementation of management measures used in salmon fisheries elsewhere on the West Coast to ensure fisheries in the affected area do not exceed the conservation objective for CC Chinook salmon. Historically, fisheries in the area described above have been managed by setting seasons and bag limits, there was no overall limit on harvest, and the fisheries have not been managed in-season. The Salmon FMP contemplates that the Council and NMFS will use a range of management tools to ensure the fisheries are managed to avoid exceeding all limits for stocks caught in the various management areas along the West Coast (FMP Chapter 6). These management tools (e.g., management boundaries, seasons, quotas, minimum harvest lengths, fishing gear restrictions, and recreational day bag limits) are available to manage ocean fisheries each season, once the allowable ocean harvests and the basis for allocation among user groups have been determined.

The fishery will be monitored in-season based on information about catch obtained through the State of California's fish ticket requirement and actions (as described in the proposed rule) will be taken as needed to prevent the fisheries from exceeding the annual harvest level. Reporting of catch quickly after landing is necessary to ensure in-season actions are taken based upon accurate and timely information.

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.

Report of salmon landing information during unsafe conditions

The reporting information will be collected by a federal or state entity to be specified annually (e.g., U.S. Coast Guard), and then transmitted to the appropriate state fishery agencies in a timely manner. The specific contents of the reports and the procedure for submitting the reports (e.g., via radio or cell phone) will be specified annually, and will likely include the name of the vessel, port where delivery will be made, approximate amount of salmon (by species) on board, and estimated time of arrival. The information will be collected from commercial salmon fishermen seeking to deviate from landing requirements specified in the annual management measures due to unsafe weather conditions or mechanical problems may put fishermen at risk.

Regular landings information, although required by NMFS, is already being collected by the states and thus is not counted in this collection as burden. The state fishery managers will use the information collected on vessel name, port of delivery, and estimated time of arrival to facilitate monitoring of the actual catch reports submitted in accordance with state landing requirements under existing state data collection and reporting systems.

The information collected will allow accurate accounting of commercial salmon catches for those regulatory areas subject to quota management. The state fishery managers will use the salmon catch data and associated vessel effort data to assess total catches by regulatory area and to determine when a quota for a regulatory area may be attained or inseason management measures taken to adjust catch rates to avoid exceeding the quota. Therefore, catch data needs to be available in a timely manner for implementation of inseason management actions such as fishery closures. The best available catch and effort data and projections are presented by the state fishery managers in telephone conference calls involving the NMFS West Coast Regional Administrator and representatives of the Pacific Fishery Management Council. Based on the data, projections, and recommendations presented by the state fishery managers, the NMFS West Coast Regional Administrator implements the appropriate inseason management action in the exclusive economic zone (EEZ) (3 to 200 nautical miles of shore), with the state managers taking concurrent action in territorial waters (0 to 3 nautical miles of shore).

Fish ticket reporting

To monitor catch limits, NMFS is requiring that consistent with state requirements, electronic landing receipt (fish ticket) (California Code of Regulations (Title 14, §197)), fish ticket data be reported within 24 hours of landing. This information, already required by the State of California, will be required by buyers of Chinook salmon. As is done normally under processes developed by the State of California, fish ticket information is shared with the Pacific Fisheries Information Network, which is a public database.

Information Requirements and Needs and Uses of Information Collected

Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
1	Notify designated entity (e.g., U.S. Coast Guard) of the following information: vessel name, destination, and catch on board.	16 USC 1801 <i>et seq.</i>	50 CFR 660.408	Not Applicable	Used by the public to deviate from landing requirements due to unsafe conditions, promoting health and safety at sea. Used by the states and NMFS to manage commercial salmon fisheries in a sustainable manner, consistent with quotas and other catch restrictions set annually.
2	Fish ticket reporting within 24 hours of landing.	5 U.S.C. 951 <i>et seq.</i>	50 CFR 660.410	Not Applicable	Fish ticket data is used by the state and federal governments to inform catch estimates to determine need for inseason action.

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.

Report of salmon landing information during unsafe conditions

Information is submitted via the available technology for at sea communication, e.g., radio and cellular telephone transmissions, for reporting during unsafe conditions. The form of communication is set annually and is consistent with currently available technology. Should an electronic alternative become available and feasible, it would be implemented; however, this collection of information only applies when unsafe conditions are encountered and the normal means of communication at sea under such conditions is currently radio or cellular telephone transmission.

During normal conditions information is collected by the states (Washington, Oregon, and California) in person from fishermen as they are landing their catch in port or via other reporting means set by each state and specified in the annual management measures and state regulations.

Specific information on the reporting requirements is made available in a booklet of Federal regulations which is made available to the public on the NMFS West Coast Region website each year.

Fish ticket reporting

Submission of fish tickets requires the use of an electronic system established and administered by the Pacific States Marine Fisheries Commission and the California Department of Fish and Wildlife. As mentioned above (see question 2), the California Code of Federal Regulations requires fish tickets for all fisheries since July 1, 2019, and NMFS will only impose an advanced timeline for submission.

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

Commercial salmon landing requirements are specified in the annual management measures. To facilitate managing fisheries under quotas, commercial fishing vessels may be required to land and deliver their catch in specified area or to notify the appropriate state when a commercial fishing vessel in

possession of salmon that were caught in one management area are transported to a different management area for landing and delivery.

Report of salmon landing information during unsafe conditions

In the event that a commercial fishing vessel encounters hazardous weather or mechanical failure, they can deviate from the landing requirements by following the notification procedures specified in the annual management measures. For example, notifying the U.S. Coast Guard by radio or cellular phone, and providing the information that would, absent the need to deviate from landing requirements due to unsafe conditions, usually be provided directly to the states. The notification includes the name of the vessel, port where delivery would be made, approximate amount of salmon (by species) on board, and estimated time of arrival; exact notification requirements are specified annually.

Information on notification is given to the Washington Department of Fish and Wildlife, the Oregon Department of Fish and Wildlife, and the California Department of Fish and Wildlife as required for quota assessment.

Federal regulations affecting the EEZ would not be duplicative of state regulations because state regulations subsequently would either conform or defer to Federal regulations. Concurrent Federal and state regulations are desirable for regulatory consistency and enforceability.

As commercial salmon fishery landings are usually reported to the state in which the landing occurs, there is no other source of this information within Commerce, from other government sources, or from outside sources.

Fish ticket reporting

The E-ticket submission is already required and implemented by CDFW, and although NMFS is proposing to require that the submission timeline be advanced, it is not duplicating the fish tickets that must be submitted by the fish buyers.

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

The burden on small entities to report information during unsafe conditions is minimized by requiring notification when unsafe conditions prevent normal compliance with landing requirements and notification procedures. This burden is more than offset by its purpose, which is to provide a safe alternative to regulatory requirements when unsafe weather conditions or mechanical problems may put fishermen at risk. During normal conditions the collection is taken in person while the fishermen are already in port, lessening the burden on them since they will already be in port offloading their catch.

The fish ticket requirement for landing receipts with Chinook salmon sales would not be an additional requirement, but an existing requirement on an advanced timeline. It is not expected that this would place an additional burden on the business.

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.

Given the tremendous fishing power of the commercial salmon fleet, it is possible for a quota to be greatly exceeded if the necessary inseason action, e.g., fishery closure, is not taken quickly. By exceeding a quota, salmon stocks of concern could be severely impacted. Fish mortalities above the levels estimated pre-season are of particular consequence for those stocks listed under the Endangered Species Act. Conversely, if the information collected indicates that an earlier projection of quota

attainment is premature, the commercial fishery could be allowed to continue as regularly scheduled without unnecessary disruption. Furthermore, if a fishery has been closed under a quota based on overestimate of actual catch, the fishery could be reopened in a timely manner for all or part of the remaining original season.

Report of salmon landing information during unsafe conditions

If the collection could not be conducted, a safe alternative to regulatory requirements would not be available to fishermen when dealing with unsafe weather conditions or mechanical problems. The collection is made on occasion as necessary, so thus could not be conducted less frequently.

The consequences of this collection not occurring would be the inaccurate management of the fishery during the fishing season. During normal conditions the collection of information by the states of Washington, Oregon, and California provide fishery managers with up-to-date catch information which is essential to the management of the fisheries.

Fish ticket reporting

Advancing the timeline for e-ticket submission is intended to assist CDFW and NMFS in monitoring catch to take appropriate inseason action when necessary. Otherwise, CDFW and NMFS may be unable to act quickly to reduce trip limits or close the fishery resulting in exceeding the quota and potential conservation objectives for salmon stocks management under the Pacific Coast Salmon FMP.

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

- requiring respondents to report information to the agency more often than quarterly;
 - Commercial salmon fishermen must provide this information any time they need to deviate from the landing requirements due to unsafe circumstances. The salmon fishing season occurs in limited times and areas; therefore, while it is possible that a respondent may have to report more than once in a quarter, the circumstances requiring a response are uncommon and it is likely that most fishermen will never need to be a respondent.
 - Advancing the timeline for fish ticket submission may require respondents to report information to the agency more often than quarterly, but it is already required based on frequency of landings by the California Code of Regulations.
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
 - This collection of information does not require a written response.
- requiring respondents to submit more than an original and two copies of any document;
 - This collection of information does not require the respondent to provide any documentation to the federal government.
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
 - This collection of information does not require the respondent to retain related records. Retention of landing records is regulated by the states.
- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;

- This collection of information is not a statistical survey.
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
 - This collection of information is not a statistical survey.
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
 - The information will be collected by specified federal or state entities and forwarded to the appropriate state fishery agencies. Assurance of confidentiality to respondents is based on the policies of the federal and/or state agencies involved. The information collected by NMFS is confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, et seq.). It is also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.
- requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.
 - The information will be collected by specified federal or state entities and forwarded to the appropriate state fishery agencies. Assurance of confidentiality to respondents is based on the policies of the federal and/or state agencies involved. The information collected by NMFS is confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, et seq.). It is also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect the confidentiality of fishery statistics.

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 notice was published in the Federal Register on April 23, 2024 (89 FR 30314) which solicited public comments. NMFS did not receive any comments regarding the information collection itself. NMFS received one comment unrelated to the proposed rule and one comment from the Pacific Coast Federation of Fisherman's Associations (PCFFA). The PCFFA did not comment on the fish ticket submission requirement.

The public, as well as federal and state fishery management and enforcement agencies, are consulted during all phases of the preseason process for setting the annual management measures in March and April. Public meetings, public hearings, and written comments provide interested persons the opportunity to express their views on the availability of data, the frequency of collection, the clarity of instructions, the amount of burden to be imposed, and ways to minimize the burden.

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

No payment or gifts are involved in this program.

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

The information will be collected by specified federal or state entities and forwarded to the appropriate state fishery agencies. Assurance of confidentiality to respondents is based on the policies of the federal and/or state agencies involved. The information collected by NMFS is confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, et seq.). It is also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect the confidentiality of fishery statistics.

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 or private nature are included in this collection.

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

The fish ticket submission is an existing requirement under the California Code of Regulations and is managed by the California Department of Fish and Wildlife, therefore imposing no additional burden.

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 Hrs (e) = (c) x (d)	Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Reporting Requirements for the Ocean Salmon Fishery off the Coasts of Washington, Oregon, and California	Captain	40	1	40	0.25	10	\$50.09	\$500.90
Totals				40		10		\$500.90

Source of hourly wage rate: Bureau of Labor Statistics Occupational Outlook Handbook online (<https://www.bls.gov/bls/blswage.htm>, website accessed June 26, 2020).

***Cite official source of hourly wage rate - The estimate of average burden per response is based on expert review of proposed questions. BLS's *Occupational Outlook Handbook* - a good wage source. <https://www.bls.gov/bls/blswage.htm>**

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

The fish ticket submission is an existing requirement under the California Code of Regulations and is managed by the California Department of Fish and Wildlife, therefore there is no additional burden.

***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.

Fish tickets will be submitted to the California Department of Fish and Wildlife, vessel operators or owners, and PacFIN.

If the entity collecting the information is a federal agency, the annual costs to the federal government would be based on the costs of receiving the reports. Estimated cost to U.S. Coast Guard, based on the estimated reporting in Item 12, above, of 10 hours annually, assuming maximum salary for an E-5 enlisted personnel (\$3,874.80/month x 12 months = \$46,497.60/year; \$23.25 hourly), federal cost is estimated at \$232.50 annually; therefore the cost for 3 years is \$697.50 (wage source: <https://www.federalpay.org/military/coast-guard>, website accessed July 24, 2023).

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	E-5	\$46,497.60/ year	0.5%		\$697.50
Other Federal Positions					
Contractor Cost					
Travel					
Other Costs:					
TOTAL					\$697.50

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

There are no changes to the information collection since the last OMB approval. Fish tickets will be submitted to the California Department of Fish and Wildlife.

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	
Reporting Requirements for the Ocean Salmon Fishery off the Coasts of Washington, Oregon, and California	40	40	40	40	10	10	No Change
Total for Collection	40	40	40	40	10	10	
Difference	0		0		0		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Report of salmon landing information during unsafe conditions	697.50	630	-	-	Hourly wage adjustment
Total for Collection	697.50	630	-	-	
Difference	-67.50		-		

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 of the collection will not be published.

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.

Not applicable as there are no forms associated with this collection. The expiration date of OMB approval is included in the annual Federal Register Notice for the salmon fishery management measures.

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