

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

**Abstract**

This request is for revision and extension of the Atlantic Highly Migratory Species (HMS) vessel logbooks and cost-earnings reports information collection to incorporate proposed changes under a proposed rule (RIN 0648-BM23) that will modify and expand electronic reporting requirements in Atlantic HMS fisheries. These changes include requiring vessel owners/operators that report in existing paper commercial logbooks (Atlantic HMS logbook and Southeast Coastal Fisheries Logbook Program), to report electronically, via the Southeast Fisheries Science Center (SEFSC) Commercial Electronic Logbook (working title for electronic reporting program in development) while also modifying the timing requirements for reporting. The National Marine Fisheries Service (NMFS) is also proposing to implement new electronic logbook requirements for vessel owners/operators holding HMS Charter/Headboat permits or Atlantic Tunas General category permits, Atlantic Tunas Harpoon category permits, and/or Swordfish General Commercial permits.

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](#) (MSA) 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. NMFS manages HMS fisheries—tunas, sharks, swordfish, and billfish—in the 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 NMFS to manage Atlantic HMS consistent with legal mandates in the MSA, 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. Under the proposed HMS Electronic Reporting rulemaking (RIN 0648-BM23), NMFS is proposing to continue to maintain the 100 percent selection rates for limited entry vessels and HMS Charter/Headboat permit holders, and expand the selection rate for the Atlantic Tunas General category, Atlantic Tunas Harpoon category, and Swordfish General Commercial permit holders to 100 percent. Furthermore, all HMS permit holders selected for logbook reporting would be required to submit their reports via an electronic reporting system approved by NMFS for Atlantic HMS, with paper logbook packets no longer being mailed out to permit holders each year. Any selected HMS vessels 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, as both of these programs either already have, or are concurrently moving forward with the establishment of electronic reporting systems. Such vessels would need to report via an electronic reporting system approved by NMFS for Atlantic HMS that also meets the requirements for Northeast and/or Southeast regional logbook reporting.

Additionally, the proposed rule would modify the timing requirements for HMS vessel owners/operators with logbook reporting requirements. Vessel owners/operators with limited access commercial permits would be required to submit their trip and cost-earnings reports within 7 days of offloading all HMS. Previously, these vessels were required to complete their trip forms within 48 hours, but were not required to submit them by mail until the seventh day after offloading, while cost-earnings reports were not due until 30 days after offloading. The 7-day timeframe was preferred over the 48-hour timeframe as it was felt to be more consistent with how the logbook requirement has been effectively implemented and enforced, and it gives vessel owners/operators more time to complete logbook reports for trips that generally last multiple days or weeks. In monthly reporting periods where no fishing takes place, a no fishing report will be required.

Conversely, HMS Charter/Headboat, Atlantic Tunas General and Harpoon categories, and Swordfish General Commercial permit holders will be required to submit trip reports within 24 hours of completing each trip, whether targeting HMS or other non-HMS. This more stringent timing requirement is consistent with their reporting requirements under OMB Control No. 0648-0328 "Atlantic Highly Migratory Species Recreational Landings and Bluefin Tuna Catch Reports." By requiring them to submit their logbook reports within 24 hours, these permit holders will be able to avoid submitting duplicate reports to meet their HMS catch reporting requirements, as the data elements needed for this reporting will be built into their logbook reports. Furthermore, these open access permit holders are generally restricted to taking day trips, and when they do take multi-day trips, they rarely last more than a few days. Multiple trips per week are also not uncommon during the height of the fishing season. Under these fishing conditions, a shorter reporting period will help to minimize biases due to recall and reporting error. Additionally, all of these vessel owners/operators will also be required to complete an abbreviated list of cost-earnings questions for each trip that will be built into their trip reports and will not be subject to separate selection trip level cost-earnings reports. In monthly reporting periods where no fishing takes place, a no fishing report will be required.

The annual number of trip summary reports and no-fishing reports expected from each respondent was calculated through an analysis of the 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).

The 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 can be broadly classified as either limited access or open access permitted vessels, each group with their unique logbook reporting requirements. The vessel categories included in each of these groups are as follows:

Limited Access Permit Vessels

Longline Vessels (Pelagic and Bottom Longline)  
Commercial Limited Entry Handgear Vessels  
Gillnet Vessels

Open Access Permitted Vessels

For-hire HMS Charter/Headboat Vessels  
Commercial Open Access Handgear Vessels

- Atlantic Tunas General Category Vessels
- Swordfish General Commercial Vessels
- Harpoon Vessels

Previously, Atlantic Dolphin/Wahoo permit holders were also included in this information collection request (ICR). While these species are often caught in conjunction with HMS fisheries, the logbook reporting requirements for these permit holders are associated with other permits, either HMS permits that are already covered in this ICR, or Southeast permits covered in the Southeast Logbook ICR (OMB Control No. 0648-0016). As such, it has been decided to remove the burden estimates associated with dolphin/wahoo permits from this ICR.

In addition to the logbook catch and effort report, fishermen are also required to submit copies of weighout 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 MSA. Previously, NMFS had not estimated the burden for the collection of weighout slips as these receipts were provided by the seafood dealer as a normal business practice and did not constitute any additional reporting burden. However, NMFS has developed a voluntary weighout slip form with the goal of helping to standardize this part of the reporting process and minimize the administrative burden of processing them. While the use of these forms for weighout slips will remain voluntary, burden estimates are now provided. It should be noted, however, that where dealers choose to use the voluntary weighout slip form, they would likely incorporate that form into their business practice and not choose to complete duplicative reporting to submit to NMFS. Vessel owners/operators reporting in the SEFSC Commercial Electronic Logbook will be able to upload pictures of these files when they submit their electronic logbook reports. Because each fish is weighed individually, and the individual weights are listed on the weighout slip, 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 weighout slips were not provided.

With the switch to electronic logbook reporting, the three variations of the HMS Logbook that were previously covered by this ICR (HMS Trip Summary, Charter/Headboat Trip Summary, and Open Access Handgear Trip Summary) will be combined into two variations. The HMS Trip and Set Logbook will be combined with the Southeast Coastal Logbook into the SEFSC Commercial Electronic Logbook. This will be the designated logbook for HMS vessels with limited access permits. Vessel owners/operators reporting in the electronic logbook will first be asked for basic trip-level information, including primary gear type used and cost-earnings data. For those trips using pelagic longline, pelagic buoy gear, green-stick, or harpoon, traditional HMS gears used by HMS limited access permit holders, the respondents will be directed to submit effort and catch reports for each set of their gear similar to those collected in the original HMS Set Logbook. Respondents using other gear types will be directed to complete a trip-level report similar to those collected by the Southeast Coastal Logbook.

The SEFSC Commercial Electronic Logbook will be offered through the Atlantic Coastal Cooperative Statistics Program's (ACCSP) SAFIS eTRIPS Mobile and Online software applications, which allow for "One Stop Reporting" capabilities. Open technical specifications will be published that will allow other vendors of electronic reporting platforms to adapt the logbook to their platforms, and funnel the data via an application programming interface (API) where it will be combined in a central data repository with other logbook data, and is accessible by NMFS personnel.

HMS Charter/Headboat, Atlantic Tunas General and Harpoon, and Swordfish General Commercial permit holders will be required to submit electronic trip reports via an online or mobile platform approved by NMFS. ACCSP's SAFIS eTRIPS Mobile and Online platforms currently meets the necessary data collection requirements for HMS reporting, but other platforms are anticipated to meet HMS reporting requirements by the time the final rule is implemented. These electronic logbooks allow captains to record and submit their effort, target species, catch, 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 or sales of catch, payout to crew and captain).

This logbook program supplements data that are collected in the Marine Recreational Information Program (MRIP), which coordinates recreational fisheries surveys and includes the For-Hire Survey (FHS), the Large Pelagics 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.

### **Limited Access Permitted Vessels**

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

The objective of the HMS 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.

## Gillnet Vessels (Sharks)

The objective of the HMS 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.

## **Open Access Permitted Vessels**

### 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 individual landings of recreationally-caught (i.e., not sold) bluefin tuna, blue marlin, white marlin, roundscale spearfish, sailfish, and swordfish. Traditionally, this reporting requirement was managed separately from logbook reporting requirements for HMS Charter/Headboat vessels due to different timing requirements, as the landings reports were required to be submitted within 24 hours of completion of a trip, compared to 7 days for logbook reports. With the switch to electronic logbook reporting, this action will reduce duplicate reporting burden by setting the submission requirement for both reporting programs to 24 hours after completion of the trip, and by integrating the HMS Recreational Landings Report data elements into the open access electronic logbook such that one report will meet both reporting requirements.

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.

### Commercial Open Access Handgear Vessels (Tunas, swordfish)

Commercial open access handgear vessels include the Atlantic Tunas General category permit holders, Harpoon category permit holders, Swordfish General Commercial permit holders, and HMS Charter/Headboat permit holders with commercial endorsements and 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 green-stick gear.

The proposed logbook program would enable NMFS to more accurately monitor these fisheries 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, but do sample the other permit categories in this group.

### *Cost-earnings forms*

If selected, owners and operators of vessels with federal permits for HMS must submit trip expense and earnings data as part of their logbook reports. Cost-earnings data are 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 include the price and amount of fuel, bait, ice, and groceries used per trip, the total cost of the trip, the number of crew, and the payouts to 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 MSA. 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 Fishery Management Councils and Commissions, the Departments of State and Commerce, Office of Management and Budget (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 SEFSC has the responsibility for both preparation of domestic stock assessments (estimation of maximum sustainable yield and/or other indexes of biomass), representation of the U.S. in international stock assessments conducted by ICCAT, 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, permit number, 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 weighout sheets. 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 cost-earnings data elements collected include variable trip costs (fuel, bait, ice, light sticks, groceries, etc.), total shared costs, and total costs. The data elements collected on the Annual Expenditures Form include fishing gear, repair and maintenance expenses, insurance, dockage, etc.

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 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. Any release of summary data to the public will be managed consistent with the



confidentiality requirements of the MSA. 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.**

The SEFSC and the NMFS Southeast Regional Office (SERO) are currently in the final 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 logbook and cost-earnings forms for the open access permit holders will also be offered electronically. The move to electronic logbook programs was undertaken to modernize agency data collections and minimize respondent reporting burden to the greatest extent possible by implementing “One Stop Reporting” platforms where multiple agency reporting requirements could be satisfied with the submission of a single vessel report.

**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 MSA 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.

The primary motivation for the conversion of multiple regional paper logbooks into adaptable electronic formats like SAFIS eTRIPS has been to eliminate duplicate reporting burden by developing “One Stop Reporting” platforms where multiple agency reporting requirements could be satisfied with the submission of a single vessel report.

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.

Some owners of tuna vessels selected for logbook coverage may participate in the bluefin tuna fishery.

Recreational and commercial rod-and-reel and harpoon bluefin tuna landings and dead discards must be reported to NMFS within 24 hours as approved under OMB Control No. 0648-0328. Traditionally, this was done through the automated landings reporting system (ALRS) or State catch card programs. Billfish landings, also reported under ALRS, are monitored quarterly for compliance with an ICCAT-recommended landings limit of 250 marlin per year. ALRS data elements have been incorporated into the SAFIS eTRIPS 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. Additional efforts to incorporate ALRS data elements into other electronic reporting programs such as the GARFO FishOnline program are ongoing. The Recreational Billfish Survey, LPS, and ALRS are analyzed to identify and remove duplicative reports during quarterly reviews.

Individuals with an authorized exempted fishing permit are required to submit interim and annual reports for catches made while conducting the exempted activities (OMB Control No. 0648-0471). 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 electronic logbook requirements operating under the One-Stop Reporting initiative will not need to submit separate logbook reports. The cost burden to permit holders is minimized, as there is no cost, aside from labor costs, to reporting in the federal electronic logbook. Additionally, the individuals required to submit cost-earning reports to the SEFSC Commercial Electronic Logbook 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 CPUE 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 requirements under ATCA. Trip and set level catch data are 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.

Collection of information on primary fishing location would also facilitate numerous analyses regarding the distribution of these fisheries. Such information could help inform stock assessments, economic analyses, impact assessments for offshore developments such as offshore wind and aquaculture, impacts of marine monuments, or other changes in spatial management.

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

The new reporting regulations require selected vessel owners or operators with limited access permits to complete logbooks, including cost-earnings data, within seven days after offloading the catch from a trip. For open access permit holders with logbook reporting requirements, trip reports must be submitted within 24 hours, compared to 7 days after the trip ends for limited access permit holders. The difference in timing requirements is largely due to two factors. First, more timely data submission is needed to monitor the bluefin tuna quotas and regional sub-quotas that are among the primary targets of the open access permit categories. Conversely, bluefin tuna are considered an incidental catch for the limited access categories, especially pelagic longline, and alternative reporting via their vessel monitoring systems (OMB Control No. 0648-0372) and Individual Bluefin Tuna Quota (IBQ) program (OMB Control No. 0648-0677) provide for more timely tracking of these landings. 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. 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 reports for each trip, and in the case of longline vessels, each set of their gear. Collection of logbook data at the trip level is essential for monitoring quotas, while set level data allows for accurately estimating CPUE 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 MSA. 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.**

NMFS published a proposed rule (RIN 0648-BM23) in the *Federal Register* on September 6, 2024. Any comments received in response to this proposed rule will be addressed in the Supporting Statement submitted with the final rule package.

**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 MSA 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 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 Tables A1 and 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. 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**<sup>11</sup>. At a maximum, it should take 30 minutes to complete the cost-earnings data trip summary report.

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<sup>11</sup>Some 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.

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.

To estimate total annual wage burden costs, we used the estimated hourly wage rate (\$28.28) for first-line supervisors of farming, fishing, and forester workers provided the Bureau of Labor Statistics as of April, 2024 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.**

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)
<b>HMS Logbook for Limited Access Permit Holders</b>								
Trip/Set Summary Reports	Fisherman	225	45	10,125	0.2	2,025	\$28.28	\$57,267.00
No-Fishing/ No Catch Reports	Fisherman	225	5	1,125	0.03	34	\$28.28	\$954.45
Trip Cost-Earnings Reports	Fisherman	45	9	405	0.5	203	\$28.28	\$5,726.70
Annual Expenditure Reports	Fisherman	45	1	45	0.5	23	\$28.28	\$636.30
Weighout Slips (completed by dealers for the fishermen)	HMS Dealers	540	5	2,700	1.00	2,700	\$28.28	\$76,356.00
<b>HMS Logbook for Open Access Permit Holders</b>								
Trip Reports	Fisherman	7,043	46	322,348	0.2	64,470	\$29.28	\$1,887,669.89
No-Fishing Reports	Fisherman	7,043	4	31,687	0.03	951	\$28.28	\$26,883.25
Annual Expenditure Reports	Fisherman	1,409	1	1,409	0.5	704	\$28.28	\$19,917.60
<b>Totals</b>				<b>369,844</b>		<b>71,108</b>		<b>\$2,075,411.19</b>

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

Previously, all non-labor record keeping and reporting costs associated with this ICR involved postage costs for returning paper logbooks. With the mandatory transition to electronic logbooks, those costs are no longer required. The only remaining paper form will be the Annual Expenditure 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 \$145.36.**

**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)
<b>HMS Logbook for Limited Access Permit Holders</b>					
Trip/Set Summary Reports	225	45	10,125	\$0.00	\$0.00
No-Fishing/No Catch Reports	225	5	1,125	\$0.00	\$0.00
Trip Cost-Earnings Reports	45	9	405	\$0.00	\$0.00
Annual Expenditure Reports	45	1	45	\$0.10	\$4.50
Weighout Slips (completed by dealers for the fishermen)	540	5	2,700	\$0.00	\$0.00
<b>HMS Logbook for Open Access Permit Holders</b>					
Trip Reports	7,043	46	322,348	\$0.00	\$0.00
No-Fishing Reports	7,043	4	31,687	\$0.00	\$0.00
Annual Expenditure Reports	1,409	1	1,409	\$0.10	\$140.86
<b>TOTALS</b>	<b>7,808 unique</b>		<b>369,844</b>		<b>\$145.36</b>

**\*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 FY2024 SEFSC PBR process. Those salary estimates were calculated from NOAA Management Analysis and Reporting System (MARS) salaries in 2024. 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 incoming data and the few remaining data forms received from fishermen before they are sent for entry, and follow up with fishermen when errors are detected after data entry.
- Printing costs associated with yearly printing of paper notification and selection letters that are sent to fishermen to inform them of their reporting responsibilities

**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
<b>HMS Logbook for Limited Access Permit Holders</b>					
Federal Oversight	ZP-4/1	\$147,627.00	10		\$14,763.000
Other Federal Positions	ZP-3/3	\$112,927.93	55		\$62,110.36
Other Federal Positions	ZP-2/3	\$127,041.37	90		\$114,337.23
Other Federal Positions	ZP-2/3	\$122,194.98	65		\$79,426.73
Contract quality control		\$92,393.60	50	\$2,235.98	\$94,627.58
Contract data entry		\$93,000.00	50	\$2,790.00	\$47,895.00
Printing cost		\$500.00	100	\$0	\$500.00
Postage Cost		\$3650.00	40	0	\$1,460.00
Travel					\$0.00
Other Costs:					\$0.00
<b>SUB-TOTAL</b>					\$415,119.90
Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
<b>HMS Logbook for Open Access Permit Holders</b>					
Federal Oversight	ZP-4/1	\$160,000.00	100		\$160,000.00
Other Federal Positions	ZP-3/3	\$100,000.00	100		\$100,000.00
Other Federal Positions	ZP-3/3	\$100,000.00	100		\$100,000.00
Other Federal Positions	ZP-3/3	\$100,000.00	100		\$100,000.00
Contractors (5, annual)		\$100,000.00	70		\$350,000.00
IT Support (2, annual)		\$137,500.00	100		\$275,000.00
Printing and postage					\$50,000.00
<b>SUB-TOTAL</b>					\$1,135,000.00
<b>TOTAL</b>					\$1,550,119.00

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

**Adjustment:** The burden hour and cost estimates were adjusted to reflect slight changes in the number of vessels eligible for logbook reporting selection, increases in the average number of responses meant to more accurately reflect the reporting burden on the fleet, and an increase in the average hourly wage rates. In total, these adjustments increased total annual burden hours by 29,434 hours, and increased total annual wage costs by \$770,573.

**Program Changes:** The burden hour and cost estimates also changed due to an increase in the percentage of Atlantic Tunas and Swordfish General Commercial permit holders that are selected for

logbook reporting, and the addition of a new voluntary weighout slip form for use by HMS dealers. The increase in selection rate for Atlantic Tunas and Swordfish General Commercial permit holders to 100 percent resulted in an increase of 17,264 burden hours and \$660,114 in labor costs. The addition of the new voluntary weighout slip form added 2,700 burden hours and \$76,356 in labor costs, assuming all HMS dealers opt to use the voluntary form.

**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/Set Summary Reports	7,268	5,642	332,473	73,346	66,495	14,669	Increase in respondents and responses
No-Fishing/No Catch Reports	7,268	5,642	32,812	28,210	984	846	Increase in respondents and responses
Trip Cost-Earnings Reports	45	954	405	11,436	203	5,718	Increase in respondents and responses
Annual Expenditure Reports	1,454	954	1,454	954	727	477	Increase in respondents and responses
Weighout Slips	540	--	2,700	--	2,700	--	New form
<b>Total for Collection</b>	<b>5,642</b>	<b>5,513</b>	<b>369,844</b>	<b>113,946</b>	<b>71,109</b>	<b>21,710</b>	
<b>Difference</b>	<b>129</b>		<b>255,898</b>		<b>49,399</b>		

**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	\$1,944,937.00	\$384,039.70	\$0.00	\$0.00	Increase in respondents and responses
No-Fishing/No Catch Reports	\$27,838.00	\$22,156.13	\$0.00	\$0.00	Increase in respondents and responses
Trip Cost-Earnings Reports	\$5,727.00	\$149,697.20	\$0.00	\$0.00	Increase in respondents and responses
Annual Expenditure Reports	\$20,554.00	\$12,474.77	\$145.40	\$95.30	Increase in respondents and responses



Weighout Slips	\$76,356.00	\$0.00	\$0.00	\$0.00	New form
<b>Total for Collection</b>	<b>\$2,075,412.00</b>	<b>\$568,368</b>	<b>\$145.40</b>	<b>\$94.50</b>	
<b>Difference</b>	<b>\$1,507,044.20</b>		<b>\$50.90</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.**

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