SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Gear-Marking Requirement for Atlantic Large Whale Take Reduction Plan
OMB Control No. 0648-0364

Abstract

This is a request for an extension of a currently approved information collection. Pursuant to section 118 of the Marine Mammal Protection Act (MMPA), the National Marine Fisheries Service (NMFS) established and convened an Atlantic Large Whale Take Reduction Team (Team) to assist in the development of the Atlantic Large Whale Take Reduction Plan (Plan). Throughout this process, the Team has provided NMFS with recommended measures designed to reduce serious injury and mortality to North Atlantic right (*Eubalaena glacialis*), humpback *(Megaptera novaeangliae*), minke (*Balaenoptera acutorostrata*), and fin (*Balaenoptera physalus*) whales from incidental interactions with commercial fishing gear. To gather information on entanglements, the Team developed gear marking requirements. As a result, any person setting trap/pot or gillnet gear to fish commercially in some areas of the Atlantic Ocean are required to paint or otherwise mark their gear with specific color codes, designating the type of gear and area where it is set, as well as buoy marking requirements.

NMFS is continuing the existing gear marking regulations in Northeast Region Trap/Pot Management Area (northeast region) commercial trap/pot fisheries because gear marking is necessary to improve our understanding of where entanglement incidents occur. The goal is to continue to gather information on entanglement origins that will further enable NMFS to reduce injuries and deaths of large whales, especially North Atlantic right whales, due to incidental entanglement in United States commercial fishing gear. In order to develop fair and effective management measures, the team requires comprehensive data on when, where, and how fixed gear vessels fish, and where whales become entangled in fishing gear.

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.

As noted above, in 1996, pursuant to section 118 of the MMPA, NMFS established and convened the Team to assist in the development of the Take Reduction Plan. During this

process, the Team provided NMFS with recommended measures designed to reduce serious injury and mortality to North Atlantic right (*Eubalaena glacialis*), humpback (*Megaptera novaeangliae*), minke (*Balaenoptera acutorostrata*), and fin (*Balaenoptera physalus*) whales from incidental interactions with commercial fishing gear. To address the continued entanglement of large whales in commercial fishing gear, NMFS reconvened the Team several times and modified the Plan to include additional measures to gain information on the source of entanglements and to reduce serious injury and mortality from entanglement, including amendments in 2007 (72 FR 57104 which amended 50 CFR 229, 50 CFR 635 and 50 CFR 648) and in 2014 (79 FR 38586 modification to 50 CFR 229). Modifications included requirements to mark fishing gear to collect information on the type of gear involved in the incidental mortality and serious injury of entangled whales. Specifically, fishers are required to mark surface buoys to identify the vessel registration number, vessel documentation number, Federal permit number, or whatever positive identification marking is required by the vessel's homeport state. The rope in vertical buoy lines must also be marked; generally requiring three 1-foot (30.5 cm) marks within the top, middle, and bottom of the rope. Large areas have historically been exempted from the buoy line marking requirements, primarily in state waters.

In 2021, NMFS amended regulations to reduce the incidental mortality and serious injury to large whales in Northeast Region Trap/Pot Management Area commercial trap/pot fisheries to meet the goals of the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA). The changes involved a combination of fishing gear modifications and seasonal area buoy line closures aimed at reducing the risk that large whales will be killed or seriously injured as a result of entanglement in U.S. commercial fishing gear. NMFS also increased gear marking to improve our understanding of where entanglement incidents occur. When entangling gear is present on a whale, it is not always retrieved, and when gear is retrieved, it cannot always be identified as fishery or location. During meetings held ahead of rulemaking, the Team discussed measures to increase visibility of marks from vessels and airplanes as well as requiring marks in all waters including those currently exempt. State-specific gear marking which would provide more resolution than current gear marking was also discussed. Although the Team did not recommend a specific gear marking amplification scheme, there was strong support for efforts to expand gear marking to further improve efforts to determine entanglement location.

The gear marking modifications include the entire Northeast Region Trap/Pot Management Area (Northeast Region) from the coast through the exclusive economic zone (EEZ), including waters exempted from gear marking requirements and state-specific color markings to lobster and crab trap/pot fisheries in the Northeast Region. A large 3-foot (91 cm) mark is required in the surface system within the top 2 fathoms (60.96 cm) of the buoy in state and federal waters. At least two additional 12-inch marks are required in state waters (top and bottom) and at least three 12-inch marks at the top, middle and bottom of the buoy line in federal waters. Gear set in lobster management area 3 (LMA3) continues to use black gear marks as their primary area mark. Vessels permitted by and with a principal port designated as Maine use purple, New Hampshire,

yellow, Massachusetts, red, and Rhode Island, gray/silver. Additionally, to designate Federal waters in the Northeast Region, a one-foot (30.5 cm) green mark is required within six inches (15.25 cm) of each state or LMA3 specific mark (at least four in total). Additionally, the 2021 final rule allows for ropeless gear sets to be fished in areas seasonally closed to traditional gear. Ropeless gear sets will follow similar marking requirements as traditional fishing gear, as described in the table below. Each color code must be permanently affixed on or along the line, and each color code must be clearly visible when the gear is hauled or removed from the water. A solid mark applied by dye, paint, or tape will be required for the surface system marks, and colored ties and twine can be used within the main buoy lines and are the most common gear marking methods used. Vessels permitted to land lobster in Maine are already required to mark their ropes using a similar gear marking scheme (Maine Division of Marine Resources, Chapter 75.02). Because their gear marking was done in anticipation of Federal rulemaking, and because Federal rules will regulate all but Maine exempted waters, these vessels were included in the cost analysis which is a change from when the rule was first proposed on December 31, 2021, and Maine markings were not considered in the cost estimates.

In 2021, comments were solicited during a 60-day public comment window on the Draft Environmental Impact Statement (DEIS) for the associated rule, Modification of the Atlantic Large Whale Take Reduction Plan, on Regulations.gov (December 31, 2020, 85 FR 86919). Over 100,000 total comments were received on the DEIS, with 118 of 1067 unique commenters providing input regarding the gear marking requirements. One non-profit advocacy group also included gear marking in their template response. Comments ranged from those supporting more detailed or more frequent markings to concerns regarding the time and cost of implementing a new marking scheme. Massachusetts fishery managers also relayed concerns that the proposed marking schemes did not sufficiently distinguish between gear fished in state waters from gear fished in federal waters. Details on all the comments received can be found in the preamble to the final rule and in Appendix 1.1 of the FEIS. After reviewing these comments, the gear marking scheme was revised and is outlined in the table below. In 2023, no comments were received during the 60-day public comment window of the extension of this information collection.

After more than 2 decades of an increasing population trend peaking in 2011 with an estimated 484 whales, the population declined to an estimate of 359 living right whales in 2020 with a more recent increase to approximately 380 living right whales in 2024 (Linden 2025). Entanglements continue to be a major contributor to right whale mortality, serious injury, and sublethal injury, representing the majority (63%) of documented incidents. NMFS focused on the scope of initial modifications to the Plan on Northeast Region lobster and Jonah crab trap/pot fisheries because they represented a majority of the risk posed by buoy lines where right whales occurred when analyses were completed in 2021. Determining the magnitude of reduction in serious injury and mortality that is needed is a challenge due to the uncertainty regarding the type of gear that entangles whales and the location and country of origin where the entanglement

occurred. Many large whale entanglements are never seen, there is often no gear present on whales showing scars, and gear cannot always be recovered from those whales that are seen entangled. Further, even when gear is recovered, it can rarely be identified as a source fishery and even more rarely, to a precise fishing location.

Table 1: Description of gear marking scheme by state. Gear marking in the state of Maine (shaded) was already implemented in anticipation of NOAA's rules in 2021. At Maine's request, exempt waters are not regulated by federal rules, so costs for gear marking in Maine exempt waters were not included. Once NOAA's rule became effective, we assumed responsibility of costs associated with the marking in non-exempt waters.

Area	Gear Marking Scheme
Entire Northeast Region	One 3-foot (91.4 cm) long state-specific (see color below) mark within 2 fathoms (60.96 cm) of the buoy. In Federal waters, an additional 1-foot (30.5 cm) green mark within 6 inches (15.25 cm) of each state specific mark (at least four in total). This mark must be solid; therefore, colored ties are not an allowed gear marking method.
Maine Non-Exempt	Purple. At least two 1-foot marks (by depth) on top and bottom half of buoy line below the surface system, through state regulation only. In Federal waters, at least three 1-foot state-colored marks in the buoy line below the surface system: at top, middle and bottom of line. At least four additional 1-foot (30.5 cm) green marks within 6 inches (15.2 cm) of each state-specific mark.
Maine exempt	Purple. One 3-foot (91.4 cm) mark within 2 fathoms (60.96 cm) of the buoy. For buoy lines less than 100 feet (30.5 m) in length one additional mark 1-foot (30.5 cm) long would be required about halfway down the line. Longer buoy lines in the exemption area are required to have the 3-foot mark and two additional 1-foot marks, one midway along the buoy line and one at the bottom of the buoy line.
New Hampshire	Yellow. In state waters: at least two additional 1-foot (30.5 cm) marks in the buoy line below the surface system: on top half and bottom half of buoy line. In Federal waters, at least three 1-foot state-colored marks in the buoy line below the surface system: at top, middle and bottom of line and at least four additional 1-foot (30.5 cm) green marks within 6 inches (15.2 cm) of each state-specific mark.
Massachusetts	Red. In state waters: at least two 1-foot (30.5 cm) marks in the buoy line below the surface system: on top half and bottom half of buoy line. In Federal waters, at least three 1-foot (30.5 cm) state-colored marks in the buoy line below the surface system: at top, middle and bottom of line and at least four additional 1-foot (30.5 cm) green marks within 6 inches (15.2 cm) of each state-specific mark.

Rhode Island	Silver/Gray. In state waters: at least two 1-foot (30.5 cm) marks in the buoy line below the surface system: on top half and bottom half of buoy line. In Federal waters, at least three 1-foot (30.5 cm) state-colored marks in the buoy line below the surface system: at top, middle and bottom of line and at least four additional 1-foot (30.5 cm) green marks within 6 inches (15.2 cm) of each state-specific mark.
LMA 3	Black. One 3-foot long (91.4 cm) mark within 2 fathoms (60.96 cm) of the buoy in the surface system. Add at least four additional 1-foot (30.5 cm) green marks within 6 inches (15.2 cm) of each LMA 3 specific black mark.
Ropeless gear fished in any area	Black and yellow. In state waters: two 1-foot (30.5 cm) marks in top half and bottom half of buoy line. Beyond state waters, one 3-foot (91.4 cm) mark and three 1-foot (30.5 cm) marks: at top, middle and bottom of line. Each mark should be equally half black and half yellow.

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.

Gear-marking requirements assist NMFS in obtaining detailed information about which fisheries or specific parts of fishing gear are responsible for the incidental mortality and serious injury of North Atlantic right, humpback, minke, and fin whales. When gear is retrieved from an entangled whale, it cannot always be identified to a fishery or location. Therefore, requiring fishermen to mark surface buoys and the buoy line provides NMFS with an additional source of information, which can then be used to determine the gear responsible for and the location of the entanglement event. Furthermore, information tracing incidental mortality and serious injury of marine mammals back to specific gear types, gear parts, or fishing locations (including whether the entanglement occurred in U.S. waters) assist NMFS and the Team in focusing future management measures on specific problem areas and issues, which may avoid unnecessarily regulating fisheries with overly broad measures.

Gear marking will not reduce bycatch in and of itself but has facilitated monitoring of entanglement rates and may assist in designing future bycatch reduction measures in targeted areas deemed important by the Team. The frequency of information used is primarily correlated with the occurrence of entangled whales and/or the recovery of entangled gear.

In developing serious injury and mortality estimates for use in Stock Assessment Reports and by the Team, NMFS attributes a definitive source of serious injuries and mortalities only when gear is present and identified to a fishery source. Therefore, these gear marking regulations improve the quantity and quality of data available for future rulemaking and investigate some of the

uncertainties discussed above regarding gear type and the country where the entanglement occurred.

NMFS has previously implemented gear-marking requirements which maximize compatibility with other state or federal fishery management plans and take reduction plans. NMFS developed the first gear-marking requirements (72 FR 57104) with the assistance of its fishing industry liaisons, feedback from Team members, and public comments received on a proposed rule in 2005 (70 FR 35894). These gear marking requirements have changed over time, including alterations in June 2014 (79 FR 36586) which increased the size and frequency of the marks along the buoy line. The most recent revisions to these gear marking requirements continue to refine the level of information gained from these marks. Because fishery-related mortality has been difficult to attribute, gear-marking requirements may assist in obtaining valuable gear interaction information from future entanglement events and may also contribute to measuring compliance.

The information collected is disseminated to the public or used to support publicly disseminated information online and at Team meetings. NMFS maintains this website (https://www.fisheries.noaa.gov/new-england-mid-atlantic/marine-mammal-protection/atlantic-large-whale-take-reduction-plan) including annual gear analysis in entanglement reports, which can be found at the following site: https://www.fisheries.noaa.gov/new-england-mid-atlantic/marine-mammal-protection/atlantic-large-whale-take-reduction-plan#entanglement-reports.

NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with National Oceanic and Atmospheric Administration (NOAA) standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures, and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

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

Electronic or automated submission techniques are not applicable to this information collection and will not be pursued because the requirement consists entirely of physical third-party

disclosure—specifically, marking surface buoys and vertical fishing lines with identification numbers and color-coded bands (50 CFR § 229.32).

- **Rationale Against Electronic Submission:** Because gear marks must remain physically affixed to submerged and surface fishing gear so that entangled ropes recovered from large whales can be visually traced back to a specific fishery and management area, digital or electronic reporting cannot substitute for physical marking.
- **Burden-Reduction Measures:** Although the collection is non-electronic, NMFS minimizes burden by allowing fishermen to use readily available, low-cost materials (such as colored twine, ties, paint, dye, or tape) on existing gear rather than requiring specialized pre-manufactured lines, and by providing all compliance guides and marking specifications online.

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

Presently, marking for trap/pot and gillnet fisheries and their associated surface gear is required under several Federal and state fishery management plans. NMFS's requirements complement existing federal and state fishery management plans and take reduction plans. Although similar colors may be used in other fisheries, color combinations prevent exact duplication. Current gear marking requirements are described in depth at: https://www.fisheries.noaa.gov/new-england-mid-atlantic/marine-mammal-protection/atlantic-large-whale-take-reduction-plan#compliance-guides.

Current NMFS Trap/Pot Gear Marking Requirements for all Atlantic Large Whale Take Reduction Plan (ALWTRP) fisheries, except the Northeast lobster and Jonah crab trap/pot fishery (noted above):

Vertical buoy lines are to be marked with three 12-inch (30.5 cm) colored marks: one at the top of the buoy line, one midway along the buoy line, and one at the bottom of the buoy line. If the mark consists of two colors, each color mark may be 6 inches (15.25 cm), for a total mark of 12 inches (30.5 cm). Each color code must be permanently affixed on or along the line, and each color code must be clearly visible when the gear is hauled or removed from the water.

Table 2: Description of current NMFS trap/pot gear marking requirements, except for the Northeast lobster and Jonah crab fishery:

Gear Marking Color	Applicable Trap/Pot Management Area

Red	Massachusetts Restricted Area Northern Nearshore Trap/Pot Waters Northern Inshore State Trap/Pot Waters Stellwagen Bank Jeffreys Ledge Restricted Area Great South Channel Restricted Area overlapping Lobster Management Area (LMA) 2 and/or the Outer Cape LMA
Red & Blue	Exempt RI state waters
Red & White	Exempt MA state waters in LMA 1
Red & Black	Exempt MA state waters in LMA 2
Red & Yellow	Exempt MA state waters Outer Cape
Red & Orange	Isle of Shoals, Maine
Red & Purple	Jordan Basin (Trap/Pot) overlapping LMA 1
Red & Black	Jordan Basin (Trap/Pot) overlapping Offshore Trap/Pot Waters
Orange	Southern Nearshore Trap/Pot Waters.
Black	Offshore Trap/Pot Waters; Great South Channel Restricted Area overlapping with the LMA 2/3 Overlap and/or LMA 3
Blue & Orange	Southeast Restricted Area North (state waters)
Green & Orange	Southeast Restricted Area North (Federal waters)

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

The fisheries affected by this gear marking rule are composed almost entirely of small businesses. The existing gear marking requirements affect gillnet and trap/pot fisheries in various Plan management areas in state and federal waters, from Maine through Florida. NMFS minimized the burden on fishermen by evaluating the existing state/federal gear-marking requirements and developing non-duplicative regulations that allow for the continued use of the previously required state and federal marking requirements without promulgating new requirements where they previously existed. NMFS developed these gear marking measures with input from fishermen and in a manner that allows fishermen to mark existing gear rather than replacing buoy lines entirely. Since the majority of the lobster and crab trap/pot fishermen

that would be regulated under this modification to the gear marking requirement already mark their lines and buoys, NMFS assumes that this additional marking requirement places minimal additional burden on fishermen in the form of added maintenance time and minimal material costs.

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 this collection is not conducted or is conducted less frequently, NMFS and the Take Reduction Team would lack critical, localized data necessary to identify which specific commercial fisheries and gear types interact with endangered North Atlantic right, humpback, minke, and fin whales. Without precise gear-marking details, NMFS would be unable to accurately assess entanglement locations and severity, increasing the technical obstacle of targeting conservation efforts. As a result, future management measures to reduce marine mammal mortality and serious injury would likely need to be overly broad, potentially imposing unnecessary and burdensome economic restrictions on regional commercial fisheries while reducing the effectiveness of whale protection initiatives.

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

There are no special circumstances with this rule that would require the collection of information to be conducted in a manner inconsistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

The 60-Day FRN was submitted to the Federal Register on June 24, 2026 (91 FR 37956). The 60-day public comment session closed on August 24, 2026. No comments were received during this window.

Furthermore, to satisfy OMB consultation requirements, NOAA consulted non-NOAA stakeholders—to obtain their views on the practical utility of the data, the accuracy of the time and cost burden estimates, potential burden-reduction measures, and the clarity of gear-marking instructions. Even with these extended outreach efforts, no comments or responses were received.

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

There are no payments or gifts 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 system of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

As stated in 50 CFR 229.11, Protection of Confidential Fisheries Data, which also references NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics, this information and any information leading to identification of the vessel owner is confidential. The Magnuson-Stevens Fishery Conservation and Management Act, Section 402b, also applies. If gear analysis were to be traced to an individual, neither NMFS nor any contractor assisting with gear analysis, will release this information in any format that could allow the public to identify any fisherman individually.

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.

Using information from Atlantic coastal states, federal permitting, and vessel trip reports, NOAA has identified the number of vessels and buoy lines actively fished, as well as the total number of marks required. As seen in the table below, we estimate that there are approximately 3,970 vessels that need to remark an average of 392 marks each year. Each mark takes approximately 6.6 and 8.6 minutes to apply, depending on the size of the mark and method used. Using twine may take up to 10 minutes, while painting or using tape only takes about 2 minutes per mark. The upper bound of 8.6 minutes was used for this renewal.

The Total State Marking Time includes 20 minutes per line for line handling time in addition to the gear marking effort. When fishermen mark the lines, handling the gear normally takes about 20 minutes (time estimated from our email correspondence with NMFS gear specialists from June 30, 2020 to May 9, 2021.). Each buoy line is a few hundred feet long, wrapping and unwrapping them and finding the correct spot to mark is very time-consuming. State color gear marking is required for all lines, while federal color marking is only needed when fishermen fish in federal waters; therefore, those marks do not need line handling time.

The wage rate for First-line Supervisors of Farming, Fishing, and Forestry Workers (45-1011) was pulled from the BLS Occupational Employment and Wage Statistics (OWS) query system at https://data.bls.gov/oes/#/area/0000000/2025.

Information Collection	Type of Respondent (e.g., Occupational Title)	Number of Respondents / Year	Annual Number of Responses / Respondent	Total # of Annual Responses	Burden Hrs / Response	Total Annual Burden Hrs	Hourly Wage Rate (for Type of Respondent)	Total Annual Wage Burden Costs
Gear marking on vertical buoy lines	Fisherman (45-1011)	3,970 vessels	392 marks per vessel (average)	1,557,199 total marks	8.6 mins	223,199	$30.16	$6,731,682
Total				**1,557,199**		**223,199**		**$6,731,682**

	Total # of Vessels (a)	Total # of Lines (b)	# of State Marks Required (c)	Total State marks (d) = (b) x (c)	# of Federal Marks Required / Line (e)	Total # Federal Marks (f) = (b) x (e)	Total # of Marks (g) = (d) + (f)
ME State Non-Exempt Waters	1,115	152,641	3	457,923	0	0	457,923
ME Federal Waters	1,186	80,867	4	323,468	4	323,468	646,936

NH State Waters	241	14,815	3	44,445	0	0	44,445
NH Federal Waters	0	0	0	0	0	0	0
MA State Waters	1,029	92,537	3	277,611	0	0	277,611
MA Federal Waters	187	8,114	4	32,456	4	32,456	64,912
RI State Waters	94	3,956	3	11,868	0	0	11,868
RI Federal Waters	37	2,569	4	10,276	4	10,276	20,552
LMA 3 Federal Waters	81	4,119	4	16,476	4	16,476	32,952
Total	**3,970**	**359,618**		1,174,523		382,676	**1,557,199**

	Total # of Vessels (a)	**Total # of Lines (b)**	**# of State Marks Required (c)**	**Total State marks (d)**	**Total State Marking Time (min) (20 x (b))+((d) x 2 min)**	**# of Federal Marks Required / Line (e)**	**Total # Federal Marks (f)**	**Total Federal Marking Time (Lower) (f) x 2 min**	**Total Federal Marking Time (Upper) (f) x 10 min**	**Total # of Marks (g) = (d) + (f)**	**Total Marking Time (Lower, min)**	**Total Marking Time (Upper, min)**
ME State Non-Exempt Waters	1,115	152,641	3	457,923	3,968,666	0	0	0	0	457,923	3,968,666	3,968,666
ME Federal Waters	1,186	80,867	4	323,468	2,264,276	4	323,468	646,936	3,234,680	646,936	2,911,212	5,498,956
NH State Waters	241	14,815	3	44,445	385,190	0	0	0	0	44,445	385,190	385,190
NH Federal Waters	0	0	0	0	0	0	0	0	0	0	0	0
MA State Waters	1,029	92,537	3	277,611	2,405,962	0	0	0	0	277,611	2,405,962	2,405,962
MA Federal Waters	187	8,114	4	32,456	227,192	4	32,456	64,912	324,560	64,912	292,104	551,752
RI State Waters	94	3,956	3	11,868	102,856	0	0	0	0	11,868	102,856	102,856
RI Federal Waters	37	2,569	4	10,276	71,932	4	10,276	20,552	102,760	20,552	92,484	174,692
LMA 3 Federal Waters	81	4,119	4	16,476	115,332	4	16,476	32,952	164,760	32,952	148,284	280,092
Total	3,970	359,618		1,174,523	9,541,406		382,676	765,352	3,826,760	**1,557,199**	3,114,398	13,368,166
											6.62 mins/mark	**8.58 mins/mark**

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).

Information Collection	Number of Respondents / year	Annual Number of Responses / Respondent	Total Number of Annual Responses	Cost Burden / Respondent	Total Annual Cost Burden
Gear marking on vertical buoy lines	3,970	573.409 feet (175 m) of marking per vessel (average)	2,276,435 total feet (693,857 m) of marking	$29.82-$86.88 per vessel	$118,375-$344,918
TOTAL	3,970	573 feet (175 m) of marking per vessel (average)	2,276,435 total feet (693,857 m) of marking	$29.82-$86.88 per vessel	**$118,375-$344,918**

	Total # of Vessels (a)	Total # of Lines (b)	State Mark Length (ft) (d)	Total State Length (ft) (f) = (b) x (d)	Federal Mark Length (ft) (h)	Total Federal Length (ft) (j) = (b) x (h)	Total Mark Length
ME State Non-Exempt Waters	1,115	152,641	5	763,205	0	0	763,205
ME Federal Waters	1,186	80,867	6	485,202	4	323,468	808,670
NH State Waters	241	14,815	5	74,075	0	0	74,075
NH Federal Waters	0	0	0	0	0	0	0
MA State Waters	1,029	92,537	5	462,685	0	0	462,685
MA Federal Waters	187	8,114	6	48,684	4	32,456	81,140
RI State Waters	94	3,956	5	19,780	0	0	19,780
RI Federal Waters	37	2,569	6	15,414	4	10,276	25,690
LMA 3 Federal Waters	81	4,119	6	24,714	4	16,476	41,190
Total	**3,970**	**359,618**		**1,893,759**		**382,676**	**2,276,435**

The updated estimated cost for materials for this information collection is between $29.80 and $86.88 per vessel per year. The upper bound cost was used for this renewal.

For the lower bound cost, we assume all lines (state and federal) are using tape and this estimate is based on $8 per roll of standard duct tape (2" x 60 yards), which equates to $0.052 per foot when wrapped around a ⅜-inch line.

Roll area: 2" x 60 yds (180 ft) = 30 sq. ft. (2/12 ft x 180 ft)

Cost per square foot: $8/roll divided by 30 sq. ft. = $0.267 ($8/30)

Line surface area: A 3/8" diameter line has a circumference of .178 inches (π x 0.375") = 0.0982 sq. ft. of surface area per linear foot.

50% overlap = 0.1963 sq. ft. = $0.052/foot

$0.052 x 2,276,435 feet = $118,375

$118,375/3,970 vessels = **$29.82/vessel**

The upper end of the cost estimate assumes that vessels in federal waters would use rope twines instead of paint or tape, because they are more likely to apply the federal water gear marks during the trip, where tape or paint could not be applied well on wet ropes. It costs up to $0.644 (adjusted from $0.55 in 2021 dollars) for a 16-inch piece of twine which would make a one-foot mark.

State length cost: 1,893,759 ft x $0.052 = $98,475

Federal length cost: 382,676 ft x $0.644 = $246,443

Total cost: $344,918

$344,918 / 3,970 vessels = **$86.88/vessel**

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.

Based on 40 hours of effort and 4 hours of supervisory review per year to renew this collection of information, the total cost to the government is $4,497 per year. The total cost to the government was calculated using the Commerce Alternative Personnel System Standard Pay Table for Performance Payout System, for the Boston, MA area Professional positions. The upper bound of Interval 3 was used to determine the base salary and a multiplier of 1.5 applied to calculate the loaded salary. For the supervisory reviews, the loaded salary was divided by 2,080 hours to determine the hourly cost and then multiplied by the appropriate number of hours. A 2% level of effort was used for the ZP-3 position.

https://www.commerce.gov/sites/default/files/2026-01/CAPS%20Standard%20Pay%20Tables%202026.pdf

Table 5: Estimated annualized cost to the Federal government to prepare the collection of this information. No travel, fringe or other costs outside of salary is required.

Cost Descriptions	Grade/Step	Loaded Salary / Cost	Percent of Effort	Total Cost to Government
Federal Oversight				
Supervisory review	ZP-5, Interval 3	$295,800	< 1% of annual effort (1 hour)	$ 142
Supervisory review	ZP-4, Interval 3	$277,790	< 1% of annual effort (3 hours)	$ 401
TRT coordinator, economist and support staff preparing materials and economic impact	ZP-3, Interval 3	$197,685	2% of annual effort (40 hours)	$ 3,954
TOTAL				**$4,497**

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

All changes in this extension request are **adjustments** rather than program changes, as no new regulatory requirements have been introduced.

- **Responses (+12,357) and Burden Hours (+808):** Although the total number of respondents remained steady at 3,970 vessels, NMFS refined its vertical buoy line estimates using updated state permitting, federal permitting, and Vessel Trip Report data.
- **Miscellaneous Costs (+$49,783):** Total annual material costs rose due to the higher total footage of required marks (2,276,435 feet) and inflation adjustments updating 2021 material costs (twine, tape, and paint) to 2025 dollars via the Implicit Price Deflator.

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	
Gear Marking	3,970	3,970	1,557,199	1,544,842	223,199	222,391	Refined active buoy line and mark counts using updated state/federal permit and VTR data.
Total for Collection	**3,970**	**3,970**	**1,557,199**	**1,544,842**	**223,199**	**222,391**	
Difference	0		12,357		808		

Information	Miscellaneous Costs	Reason for change or adjustment

Collection	Current	Previous	
Gear Marking	$344,918	$ 295,135	Material baseline costs updated from 2021 to 2025 dollars using the Implicit Price Deflator, plus updated total marking footage.
Total for Collection	**$344,918**	**$295,135**	
Difference	**$49,783**		

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.

This information collection consists solely of marking commercial fishing gear and surface buoys with appropriate identification numbers and color codes; therefore, individual gear-marking data are not submitted to NMFS or published directly. When marked gear is recovered from entangled whales, aggregated findings regarding gear type and entanglement origin are compiled into annual entanglement reports and Stock Assessment Reports shared with the Atlantic Large Whale Take Reduction Team and posted on the NMFS website.

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.

This collection does not involve paper forms, so it is not possible to display the expiration date for OMB approval of the information collection.

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

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