

**SUPPORTING STATEMENT
PACIFIC ISLANDS LOGBOOK FAMILY OF FORMS
OMB CONTROL NO. 0648-0214**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson Act) established regional fishery management councils, including the Western Pacific Fishery Management Council (Council), to develop fishery management plans for fisheries in the United States (U.S.) exclusive economic zone (EEZ). These plans, if approved by the Secretary of Commerce, are implemented by Federal regulations, which are enforced by the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Coast Guard (USCG), in cooperation with State agencies to the extent possible. The fishery management plans are intended to regulate fishing to ensure sustained productivity and achievement of optimum yield from the resources for the benefit of the United States.

The Council prepared, and the Secretary approved and implemented through regulations at 50 CFR Part 665, an amendment to the Fishery Management Plan for Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region (FMP). The regulations require vessel operators to submit a completed National Marine Fisheries Service (NMFS) logbook form at the completion of each fishing trip. These logbook reporting sheets document the identity and amount of species caught during the trip. The reporting requirements are crucial to ensure that NMFS and the Council will be able to monitor the fishery and have fishery-dependent information to develop an estimate of an Annual Catch Limit (annual Total Allowable Catch) for the fishery, evaluate the effectiveness of management measures, determine whether changes in fishery management programs are necessary, and estimate the impacts and implications of alternative management measures.

Vessel owners and operators of medium (40 to <50 ft long) and large commercial bottomfish vessels (≥ 50 ft long) are also required to complete and submit Federal sales reports at the completion of each fishing trip. These reports document sales of bottomfish that were caught during the fishing trip. The reporting requirements are crucial to ensure that NMFS and the Council will be able to monitor the bottomfish market, cross-reference with catch reports, determine whether changes in fishery management programs are necessary, and estimate the impacts and implications of alternative management measures.

This request is for a revision of OMB Control No. 0648-0214, based on Proposed Rule 0648-AV28, Fisheries in the Western Pacific; Bottomfish and Seamount Groundfish Fisheries; Management Measures for the Northern Mariana Islands.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

The completed NMFS logbook forms and sales report forms are required to be submitted to NMFS by vessel operators within 72 hours following the completion of each fishing trip. The reporting requirements provide the information needed by NMFS and the Council to regulate and monitor the fisheries managed under the FMP and to evaluate the effectiveness of management by assessing the status of stocks and the status of the fisheries. The information provides a basis for determining whether changes in management are needed to sustain the productivity of the stocks or to address economic problems in the fishery. The information is also used to provide the basis for evaluating the magnitude and distribution of impacts resulting from changes to the regulations. Without the information, NMFS and the Council would be unable to determine whether management is achieving the objectives of the FMP and the Magnuson-Stevens Act. Information from the logbooks and sales reports is used by fishery and enforcement officials of NMFS, Commonwealth of the Northern Mariana Islands (CNMI), and USCG to monitor compliance with fishing regulations and reporting requirements.

The information will not be disseminated to the public except in non-confidential or aggregate form in summary and analytical reports. Any information that might be used to support publicly disseminated information would first be aggregated and/or summarized to maintain the confidentiality of the information pertaining to the individual vessels.

As explained in the preceding paragraphs, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with Federal law and regulations, and NOAA policies 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 techniques or other forms of information technology.

At this time, the information will be collected on paper forms and the collection of information does not require any knowledge of automated, electronic, mechanical or other forms of information technology. There is the possibility of allowing participants to submit their logbook and sales reports online to NMFS, but this would not be mandatory and has not been developed at this time for this fishery.

4. Describe efforts to identify duplication.

There is no similar comprehensive catch and effort reporting program for the commercial CNMI bottomfish fishery. The CNMI government collects information about the commercial bottomfish fishery primarily through the Commercial Purchase Database (CPD). This is a

voluntary program. In addition, creel surveys of both inshore (shore-based) and offshore (boat-based) commercial fishermen returning to Saipan have been conducted since the 1970s. Both were temporarily suspended in the late 1990s but have since resumed. In response to the development of a commercial deepwater bottomfish fishery in the Northern Mariana Islands and around offshore seamounts, an offshore bottomfish monitoring program was developed in 1995 to sample these larger vessels. Monthly surveys were attempted, with various levels of voluntary participation by vessel operators.

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

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

Logbook, sales report forms and instructions would be provided by NMFS via U.S. mail with issued Federal CNMI bottomfish permits to reduce time spent obtaining forms via an office visit. A representative at the Pacific Islands Fisheries Science Center in Honolulu may be contacted in writing by email, FAX, or mail to answer questions about filling out the bottomfish logsheets or sales reports.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Logbook and sales reporting is needed in the commercial CNMI bottomfish fishery to get an accurate count of the effort level, amount of harvest, and volume and value of sales in this fishery. Currently, the only estimates of harvest in the fishery come from a voluntary subsection of the commercial fishery and for effective fishery management, it is essential to have the complete picture of effort, harvest and sales from all participants.

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

None.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Proposed Rule, Regulation Identifier Number (RIN) 0648-AV28 (73 FR 51992), published on September 8, 2008, solicited public comments on this submission. No comments of a substantive nature relating to the collection of information were received.

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

No payments or gifts are provided.

10. Describe any assurance or confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

Under Section 402(b) of the Magnuson-Stevens Act, as amended in 2006, and NOAA Administrative Order 216-100, information submitted in accordance with regulatory requirements under the Act is confidential. This includes personal and proprietary information contained in the permits, logbooks and sales reports. This information is included in the PRA statements on the forms.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No questions are asked of a sensitive nature.

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

Logbooks

NMFS estimates that the time requirement for completing Federal catch reports to be approximately 30 minutes per vessel per fishing day. Assuming that 125 vessels make 50 trips per year, and average 1.2 days per trip, the program would generate up to 7,500 daily fishing logbooks per year. Thus, the total collection-of-information burden estimate for fishing data reporting is estimated at 3,750 hours per year.

Total number of logbooks: $125 \times 50 \text{ trips} \times 1.2 \text{ days} (1 \text{ day} + 5 \text{ hours}) = 7,500 \text{ logbook per year}$

Total hours: $7,500 \text{ logbooks} \times 30 \text{ min. per logbook} = 3,750 \text{ hours per year.}$

Sales Reports

NMFS estimates the time requirement for completing Federal sales reports to be approximately 30 minutes per vessel per fishing trip. Assuming that six medium and large vessels make 15 trips per year, the program would generate 90 sales reports per year. Thus, the total collection-of-information burden estimate for sales data reporting by fishermen is estimated at 45 hours per year.

Total number of reports: $6 \text{ vessels} \times 15 \text{ trips per year} = 90 \text{ reports}$

Total hours: $90 \text{ reports} \times 30 \text{ min. per report} = 45 \text{ hours per year}$

Summary of Respondents, Response and Hours

Total number of respondents: 125

Total number of responses: $7,500 \text{ logbooks} + 90 \text{ sales reports} = 7,590$

Total number of hours: $3,750 + 45 = 3,795.$

The current respondents, responses and burden hours are: 220, 45,330 and 2,436. This request brings the total respondents to 345, responses to 52,920 and hours to 6,231.

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

There is no “start up” capital cost for complying with this requirement. Paper forms provided by NMFS will be used by the respondents for providing information. The maximum estimated cost to respondents for postage, faxes, copies, etc., related to this collection is \$4,000 per year, or an average of \$0.53 per response. The current reporting/recordkeeping costs are \$1,048. Total costs will now be \$5,048.

14. Provide estimates of annualized cost to the Federal government.

The estimated annual cost to the Federal government to administer this collection of information is up to \$38,912. This includes the cost of printing daily catch and effort logsheet forms at \$912 per year (7,600 logsheets and sales reports x \$0.12 per sheet), and processing of log forms at \$38,000 per year, which is calculated by the cost of staff time for receiving and entering logsheet and report form data (7,600 forms x 15 min/form x \$20/hr).

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

This program change adds 125 respondents, 7,590 responses, 3,795 hours and \$4,000 in recordkeeping/reporting costs.

16. For collections whose results will be published, outline the plans for tabulation and publication.

No formal scientific publications based on these collections are planned at this time. NMFS and the Council will use the data (primarily in an aggregated, non-confidential format) for developing management reports and fishery management plan amendments and evaluations. However, subsequent use of the data collected over a series of years may include scientific papers and publications.

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

N/A

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

N/A

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are employed.