

**SUPPORTING STATEMENT
GULF OF MEXICO ELECTRONIC LOGBOOK
OMB CONTROL NO. 0648-0543**

INTRODUCTION

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) authorizes the Gulf of Mexico Fishery Management Council (Council) to prepare and amend fishery management plans for any fishery in waters under its jurisdiction. National Marine Fisheries Service (NMFS) manages the shrimp fishery in the waters of the Gulf of Mexico (GOM) under the Shrimp Fishery Management Plan (FMP). A final rule implementing Amendment 13 to the FMP, RIN 0648-AS15, required owners and operators of permitted vessels, if selected by NMFS, to install an electronic logbook (ELB) on their vessel. The ELBs are provided by NMFS. Regulations implementing Amendment 13 to the FMP may be found at [50 CFR §622.5\(a\)\(iii\)\(B\)](#).

This request is for revision and extension of this information collection. One hundred additional vessels will be selected for ELBs.

A. JUSTIFICATION

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

There are currently approximately 1,563 valid and renewable federally permitted Gulf shrimp vessels (as of April 6, 2012) that harvest shrimp from the Exclusive Economic Zone (EEZ), and the Council estimates that there are over 13,000 boats that fish in state waters¹. With such a large number of vessels of differing sizes, gears used, and fishing capabilities compounded by seasonal variability in abundance and price and the broad geographic distribution of the fleet, ELBs provide a more precise means of estimating the amount of fishing effort than paper logbooks. Using ELBs to estimate fishing effort results in more precise bycatch estimates for the Gulf shrimp fleet.

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.

NMFS determined the need for improved estimates of effort by the shrimp industry to better determine the amount and type of bycatch. The ELB provides data on fishing effort and location. NMFS contract personnel will collect ELB information every 2-3 months to maintain continuous updates to fishing effort. Vessels are chosen randomly through the permits database. Once a vessel is selected, it remains part of the sample.

Originally, the ELB program started with a sample of 250 vessels. In 2009, NMFS secured additional funding for another 250 vessels, which brought the total to 500 vessels with ELBs.

¹ We are not attempting to estimate or monitor fishing effort and bycatch for these vessels; this is solely an illustration of the magnitude of ongoing shrimp fishing.

NMFS will add another 100 vessels to the ELB program in 2012, for a total of 600 vessels, and has secured funding to cover this number for the next three years. Additional ELBs may be added in the future, pending funding. ELBs improve the accuracy and precision of the data being collected in the shrimp fishery.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with 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 techniques or other forms of information technology.

The ELB autonomously collects effort data and is downloaded by NMFS contract personnel every 2-3 months. The ELB memory chip is removed from the unit and downloaded at the contractor site in College Station, Texas. The removed memory chip is replaced with a new logbook memory chip, a process taking less than one minute.

4. Describe efforts to identify duplication.

The Magnuson-Stevens Act's operational guidelines require each FMP to evaluate existing state and federal laws that govern the fisheries in question, and the findings are made part of each FMP. Each Fishery Management Council membership is comprised of state and federal officials responsible for resource management in their area. These two circumstances 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 permit application requirements. Therefore, NMFS is confident it is aware of similar collections if they exist. The other information proposed to be collected is not being collected elsewhere; therefore, this data collection would not cause duplication. Although the Southeast Region uses Vessel Monitoring Systems (VMS) for some of its commercial fishing fleets, currently, no such program exists in the Gulf shrimp fishery; therefore, no duplication exists between the ELB and VMS programs.

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

Because all applicants are considered small businesses, separate requirements based on size of business have not been developed. Only the minimum data to meet the current and future needs of NMFS' fisheries management are requested from the vessel owners.

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

If we cannot identify the effort of the Gulf shrimp industry, characterizing the amount and type of bycatch within the fishery becomes extremely difficult, if not impossible. The Southeast Region would be in violation of the Magnuson-Stevens Act Section 303 (a) (11) if bycatch amount and type is not identified in the shrimp fishery. In addition, due to the seasonal variability in abundance and price and the broad geographic distribution of the fleet, it is practically impossible to estimate the actual amount of fishing effort using current methods and data. Due to this seasonality it is essential that the data be collected at regular intervals.

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

There are no special circumstances that require the collection to be conducted in a manner inconsistent with Office of Management and Budget (OMB) guidelines.

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 Federal Register Notice was published on April 17, 2012 (77 FR 22760) soliciting comments on the continuation of this collection of information. No comments were received.

Previously, NMFS implemented a final rule for Amendment 13 to the FMP, RIN 0648-AS15, which was subject to public comment.

Because this data collection program is part of a FMP, all aspects of the program have been reviewed by both statistical and constituent advisory committees. Furthermore, comments and suggestions from fishermen are routinely submitted, reviewed, and considered. Experience with the various programs, some of which have been operating for many years, provides a continual feedback mechanism to NMFS on issues and concerns to the applicants. This rule did not raise an unusual amount of controversy during the Council development process. There are no major problems that have not been resolved.

The ELB program originated as a voluntary program and became a cooperative effort between the industry and NMFS. Because the program was fully embraced by the industry, it became mandatory for certain vessels. The industry embraced the program because they saw the value in collecting better shrimp effort data through the ELB program. More recent feedback continues to be in favor of the program. Because the burden, in reality, consists of being available for monthly downloads, there are no complaints.

9. Explain any decisions to provide payments or gifts 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 assurance in statute, regulation, or agency policy.

All data submitted under the proposed collection will be handled as confidential material in accordance with the Magnuson-Stevens Act, Section 402b, and NOAA Administrative Order 216-100, Protection of Confidential Fishery Statistics. Respondents are given this assurance as part of the initial package received with the ELB.

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 of a sensitive nature are asked.

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

The estimated public reporting burden for this collection of information is 30 minutes for the initial installation (for the 100 new vessels in the program – not counted as responses) and 1 minute x 6 for each removal/reinstallation of the ELB memory chip for each of the 600 vessels chosen for the program. This results in a total of 3,600 responses and 110 burden hours (i.e. 50 for initial installation for the new 100 units, and 60 for removal/reinstallation for all 600 per year).

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).

Not Applicable.

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

The estimated annual cost to the Federal government is \$950,000. This cost includes maintenance/repair of ELBs, software, installation/removal, downloading of data, and analysis.

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

Program Change: The number of respondents will increase by 100 for this collection due to the expansion of the ELB program. NMFS will purchase and install an additional 100 ELB units in 2012. This will add 50 hours for initial installation and 10 hours for the six periodic downloads and removals for these added units.

Adjustment: Burden is no longer needed for initial installation of the logbooks for the current 500 ELB units. This removes 250 hours.

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

The results from this collection are not planned for statistical publication, although NMFS may distribute the results of the observations for general information.

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.

Not Applicable.

18. Explain each exception to the certification statement.

Not Applicable.