

**SUPPORTING STATEMENT**  
**TRANSSHIPMENT REQUIREMENTS UNDER THE WCPFC**  
**OMB CONTROL NO. 0648-xxxx**

**A. JUSTIFICATION**

This is a resubmission of a request for a new information collection, in conjunction with the final rule 0648-BA85. No changes were made based on public comments on the proposed rule (see Question 8).

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

Under the Western and Central Pacific Fisheries Convention Implementation Act ([WCPFCIA](#); 16 U.S.C. § 6901 *et seq.*), the Secretary of Commerce has the authority to develop and implement regulations to carry out the obligations of the United States as a Contracting Party to the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention) and a Member of the Western and Central Pacific Fisheries Commission (WCPFC). The Convention, which established the WCPFC, provides for the conservation and management of target stocks, non-target species, and species belonging to the same ecosystem or dependent upon or associated with the target stocks.

As a Contracting Party to the Convention and a member of the WCPFC, the United States is obligated to implement the Conservation and Management Measures (CMMs) adopted by the WCPFC. The National Marine Fisheries Service (NMFS) has been delegated the responsibility for implementing CMMs and other decisions of the WCPFC via rulemaking.

In December 2009, the WCPFC adopted CMM 2009-06<sup>1</sup>, “Conservation and Management Measure on the Regulation of Transshipment”. Specific obligations under CMM 2009-06 include the following: (1) require operators of vessels that offload or receive transshipments, at sea or in port, to provide specific information detailing the location of transshipment and particular products being transshipped; (2) require that notice be submitted to the WCPFC at least 36 hours prior to each transshipment on the high seas in the area of application of the Convention (Convention Area) or at least 36 hours prior to each transshipment on the high seas of fish caught in the Convention Area and transshipped on the high seas elsewhere, and within 12 hours of the completion of the transshipment in the case of an emergency transshipment that would otherwise be prohibited; and (3) require that observers be carried on vessels to monitor transshipments, with the specific observer requirements depending on the length of the receiving vessel and the type of fish being transferred.

The provisions of CMM 2009-06 apply to all transshipments that take place in the WCPFC Convention Area of any highly migratory fish species (HMS) covered by the Convention, as well as all transshipments of HMS taken in the Convention Area that take place outside that area. Among the objectives of the CMM is to establish procedures to obtain and verify data on the quantity and species transshipped in the Convention Area to ensure accurate reporting of catches, so that stock assessments of HMS include better data. The CMM is premised on the recognition

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<sup>1</sup> All CMMs may be found at this link: <http://www.wcpfc.int/conservation-and-management-measures>

that unregulated and unreported transshipment of catches of HMS at sea contributes to inaccurate reporting of the catches of such stocks, and supports illegal, unreported, and unregulated (IUU) fishing activities.

In December 2010, the WCPFC adopted CMM 2010-02, “Conservation and Management Measure for the Eastern High-Seas Pocket Special Management Area.” This measure applies to the area of the high seas bounded by the Exclusive Economic Zones of the Cook Islands to the west, French Polynesia to the east and Kiribati to the north, and requires HMS vessels to submit reports with specific information, including catch data, at least six hours prior to entry and no later than six hours prior to exiting this area of the high seas. The measure seeks to reduce IUU fishing.

CMM 2009-02 “Conservation and Management Measure on the Application of High Seas FAD<sup>2</sup> Closures and Catch Retention,” adopted by the WCPFC in December 2009, contains reporting requirements for discards of fish from purse seine vessels.

NMFS is implementing the requirements of CMM 2009-06, CMM 2010-02, and the catch discard reporting requirements of CMM 2009-02 via rulemaking. The proposed rule (RIN 0648-BA85) would also restrict the transfer of fish at sea from a purse seine net deployed by or under the control of a fishing vessel of the United States to another fishing vessel, or from a purse seine net deployed by or under the control of a fishing vessel to a fishing vessel of the United States, and implement a specific provision of CMM 2009-01 “WCPFC Record of Fishing Vessels and Authorization to Fish” that is similar to a provision of CMM 2009-06, restricting the types of vessels with which transshipping and bunkering can be conducted.

**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.**

Transshipment CMM (CMM 2009-06)

The owner or operator of any U.S. commercial fishing vessel that offloads or receives a transshipment in the Convention Area of HMS or a transshipment of HMS caught in the Convention Area will be required to complete and submit to NMFS a form (“Pacific Transshipment Declaration Form”) for each transshipment that takes place. Information specified on the form will need to be recorded within 24 hours after the time of completion of the transshipment. Due dates for submittal of the completed original form will depend on the nature of the transshipment and whether the vessel owner or operator is subject to existing regulations for transshipment data collection. For vessels licensed under the South Pacific Tuna Treaty (pursuant to [50 CFR § 300.32](#)), the original form will be required to be submitted to the NMFS Pacific Islands Regional Administrator by the due date specified for submitting the existing original transshipment logsheet form to the Treaty Administrator (currently the Pacific Islands Forum Fisheries Agency) at [50 CFR § 300.34\(c\)\(2\)](#). Vessels registered under [50 CFR § 660.707](#) will be required to submit the original form to the NMFS Pacific Islands Regional Administrator by the due date specified for the logbook form at [50 CFR § 600.708](#). Vessels subject to the

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<sup>2</sup> Fish Aggregating Device

requirements of [50 CFR 665.801\(e\)](#) will be required to submit the original form to the NMFS Pacific Islands Regional Administrator by the due date specified for submitting the transshipment logbooks at 50 CFR § [50 CFR 665.14\(c\)](#). For transshipments on the high seas and emergency transshipments, vessels must submit a copy of the form by fax or email to the NMFS Pacific Islands Regional Administrator no later than 10 calendar days after the completion of the transshipment; the original form must be submitted no later than 15 days after the vessel first enters into port or 15 days after completion of the transshipment for emergency transshipments in port. For all other transshipments at sea, vessels must submit the original form to the NMFS Pacific Islands Regional Administrator no later than 72 hours after the vessel first enters port. For all other transshipments in port, the original transshipment report must be submitted no later than 72 hours after completion of the transshipment. Required information will include offloading and receiving vessel information, gear type, description of the products being transshipped (including species, processed state and amount in metric tons of each species), date and location of catch and transshipment, WCPFC observer information, if applicable, and quantity and geographic origin of both the product being transshipped and product already on board the receiving vessel.

Owners or operators of any U.S. commercial fishing vessel will be required to submit notice to the WCPFC containing specific information at least 36 hours prior to each transshipment on the high seas in the Convention Area or of fish caught in the Convention Area and transshipped on the high seas elsewhere. In the case of an emergency transshipment that would otherwise be prohibited, owners or operators of any U.S. commercial fishing vessel will be required to submit notice to the WCPFC containing specific information within 12 hours of the completion of the transshipment. The notice will have to be provided by fax or email and would include the following information: (1) the name of the offloading vessel and the vessel identification markings located on the hull or superstructure of the offloading vessel; (2) the name of the receiving vessel and the vessel identification markings located on the hull or superstructure of the receiving vessel; (3) description of the product being transshipped, including species, processed state, and amount in metric tons of each species; (4) date and projected location of transshipment; and (5) required for the offloading vessel only, geographic location of the HMS catches to be transshipped. A copy of the notice will also have to be provided to NMFS. For emergency transshipments, the notice will also need to state the reasons for the emergency.

Owners or operators of any U.S. commercial fishing vessel anticipating a transshipment where an observer is required will need to provide notification to NMFS at least 72 hours (not including weekends and holidays) before leaving port of the need for an observer. The notification will need to include the name of the vessel, name of the operator, intended departure and return date, and a telephone number at which the owner or operator may be contacted.

Data collected will be used by NMFS and the WCPFC to verify the quantity of HMS transshipped in the Convention Area to ensure accurate reporting of catches, to enhance stock assessments of HMS stocks and to obtain information needed by NMFS, NOAA Office of Law Enforcement (NOAA OLE), and the WCPFC to monitor the activities of the vessels fishing in the Convention Area and the performance of the fisheries. The information will be collected by NMFS on behalf of the U.S. Government and will be provided to the WCPFC in accordance with the CMM.

### Eastern High-Seas Pocket Special Management Area CMM (CMM 2010-02)

The owner or operator of any U.S. HMS vessel must submit a notice to the WCPFC containing specific information at least six hours prior to entry and no later than six hours prior to exiting the Eastern High Seas Special Management Area (Eastern SMA). The notices will have to be provided by fax or email and must include the following information:

(1) vessel identification; (2) entry or exit; (3) date and time of anticipated point of entry or exit; (4) latitude and longitude of anticipated point of entry or exit; (5) amount of product on board in kilograms, separated into particular categories (yellowfin tuna, bigeye tuna, albacore, skipjack tuna, swordfish, shark, other); and (6) whether the vessel engages in any transshipments while in the Eastern SMA. A copy of the notice will have to be provided to NMFS.

The information collected will be used by the WCPFC and the WCPFC member States situated adjacent to the Eastern SMA to monitor fishing activities in the Eastern SMA in an effort to reduce IUU fishing in that area. Although the information collected will not be disseminated to the public in its raw form, it will be used to prepare derivative information products which could be disseminated to the public. The information will assist the WCPFC Secretariat in compiling and verifying the “live list” of fishing vessels present in the Eastern SMA, which will be made available on the WCPFC website. The primary source of information for the “live list” will be the WCPFC’s vessel monitoring system (VMS) data; the information collected in the notices will be used to support the VMS data.

### Purse Seine Discard Reports (CMM 2009-02)

The owner or operator of any U.S. purse seine vessel will be required to complete and submit to the WCPFCa form (“U.S. Purse Seine Discard Form”) containing specific information regarding the discard at sea of any catch of bigeye tuna, yellowfin tuna, or skipjack tuna, within 48 hours after any discard. Completed forms will have to be submitted by fax or email and include the following information: (1) vessel name; (2) international radio call sign; (3) license number (WCPFC Area Endorsement Number); (4) name of vessel operator; (5) nationality of vessel operator; (6) name of observer on board; (7) date and time of discard; (8) location of discard; (9) date and time of set; (10) location of set; (11) type of set; (12) reason for discard; (13) amount of fish discarded by species; and (14) amount of retained fish from the set by species. A copy of the form will have to be provided to NMFS by fax or email within 48 hours after any discard and a hard copy of the form will have to be provided to the observer on board the vessel.

This collection of information will be used to ensure accurate reporting of catches, to create a disincentive to the capture of small fish and to encourage the development of technologies and fishing strategies designed to avoid the capture of small bigeye tuna and yellowfin tuna.

NOAA complies with [OMB Information Quality Guidelines](#) for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by federal agencies. If the data are used as supporting information disseminated to the public they will be in aggregate or synthesized form, such as in scientific and enforcement technical reports (*e.g.* regarding total catch/total discard).

**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 majority of Pacific Transshipment Declaration Forms will be collected in physical form; they will not be automated, electronic, or mechanical, although forms for high seas transshipments or emergency transshipments would also be submitted by fax or email to meet the required deadline. Prior notice for high seas transshipment, prior notice of emergency transshipments, notice of entry or exit for the Eastern SMA, and the U.S. Purse Seine Discard Forms will be provided directly to the WCPFC Secretariat by fax or email. NMFS understands that some vessels may not be equipped with fax or email capabilities, in which case owners and operators of these vessels could, for example, have crew members radio the required information to a shore agent or to another vessel, which could then submit the notice to the required recipients by fax or email. Vessel owners/operators required to provide pre-trip notifications to NMFS for observer placement will be able to do so by email or telephone, and are expected to do so by telephone in virtually all cases. All forms and related instructions will be made available to the public on the NMFS Pacific Island Regional Office website ([www.fpir.noaa.gov](http://www.fpir.noaa.gov)).

**4. Describe efforts to identify duplication.**

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.

Under existing regulations, owners and operators of vessels licensed under the regulations ([50 CFR 300.32](#)) implementing the South Pacific Tuna Treaty (Treaty) must submit a transshipment logsheet form for each transshipment made. The current provisions of the Treaty require the submission of the existing specific transshipment logsheet form, but these provisions will expire in June 2013. With this new collection, affected vessel owners and operators will be required to complete and submit both the form required by the Treaty and the new Pacific Transshipment Declaration Form so long as the existing requirements to implement the Treaty remain in effect. NMFS anticipates that the Pacific Transshipment Declaration Form will eventually replace the existing transshipment logsheet form required by the regulations implementing the Treaty.

Under existing regulations, owners and operators of vessels registered to receive transshipments of longline-caught fish in the U.S. Exclusive Economic Zone (EEZ) are required to submit a transshipment logbook containing report forms provided by NMFS for each day of transshipment activity ([50 CFR 665.14\(c\)](#) and [50 CFR 665.801\(e\)](#)). With this new collection, NMFS will replace the transshipment logbook form currently in use with the new Pacific Transshipment Declaration Form. Thus, owners and operators of vessels receiving transshipments of longline-caught fish in the U.S. EEZ will be required to submit only one form for a given transshipment.

Owners and operators of vessels that would be subject to regulations implementing the Inter-American Tropical Tuna Commission (IATTC) “Resolution on Establishing a Program for Transshipments by Large-Scale Fishing Vessels” ([Resolution C-08-02](#)) that offload or receive

transshipments in the IATTC Area will also be required to complete and submit to NMFS a Pacific Transshipment Declaration Form – the development of these regulations is the subject of a different rulemaking. In such cases where a vessel is subject to the transshipment requirements of the WCPFC and the IATTC (e.g., transshipment of fish caught in the WCPFC Area while in the IATTC Area), owners and operators will be required to submit only one Pacific Transshipment Declaration Form to the address specified by NMFS.

Under existing regulations, vessels fishing for HMS in the management area of the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species must maintain on board the vessel an accurate and complete record of catch, effort and other data on report forms provided by the NMFS Southwest Regional Administrator. The current version of the form that is used by albacore troll vessels (the only fleet managed under that Fishery Management Plan that is currently active in the Convention Area) includes information about at-sea transshipments. However, the information in the existing logbook form requires only general information regarding transshipments – the date, offloading vessel, and amount. With this new collection, vessel owners and operators subject to the requirements at 50 CFR Part 660 and the requirements of the WCPFC management measures will be required to submit the existing transshipment form, as well as the new Pacific Transshipment Declaration Form.

Under existing regulations, each time a vessel licensed under the Treaty enters or exits the waters under the jurisdiction of a Pacific Island Party (i.e., a Pacific Island nation that is a party to the Treaty), a report must be submitted to that Pacific Island Party that includes information that is similar to the information that will be required in the notice of entry or exit for the Eastern SMA. However, because the report to the Pacific Island Party is submitted to a different entity and requires the inclusion of different information, NMFS has determined that with this new collection, both the report and the notice of entry or exit for the Eastern SMA will have to be submitted by vessels that are licensed under the Treaty and that enter or exit the covered areas.

The purse seine discard reporting requirement, which will apply only to purse seine vessels, will overlap with an existing reporting requirement at [50 CFR § 300.34\(c\)\(1\)](#) for vessels licensed under the Treaty. The existing requirement to maintain and submit “catch report forms,” also known as “Regional Purse Seine Logsheets” or “RPLs”, calls for information on fishing effort and catches, including information on the amount of fish, by species, that is discarded each day, including the reason for each such discard. The timing and recipients of the existing and new reports differ in some respects. The new report will have to be submitted to the WCPFC and to NMFS within 48 hours after each discard event, with a hard copy provided to the observer on board the vessel. The existing report must be submitted to and received by NMFS within two days after the vessel next reaches port. In addition, it must be submitted to the Treaty Administrator (currently the Pacific Islands Forum Fisheries Agency) within 14 days after the vessel next reaches port. Furthermore, the existing report must be sent on a particular form that is specified under the Treaty and cannot be changed in U.S. regulations unless and until the Treaty is amended accordingly. Because of these differences, the new requirement not only overlaps with the existing requirement but duplicates it to a large extent, unless and until the Treaty is amended in such a way that the duplication can be removed.

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

Most of the fishing operations subject to this collection of information are considered small businesses. Efforts have been made to avoid duplication in reporting requirements and all data collected have been deemed necessary by the Contracting Parties to the Convention, including the United States.

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

If the information is not collected, the U.S. government would not meet its obligations as a Contracting Party to the Convention and a member of the WCPFC, and would consequently fail to satisfy the provisions of the WCPFCIA. These requirements are based on the recognition that unregulated and unreported transshipments of catches of HMS at sea contribute to inaccurate reporting of catches of such stocks and supports IUU fishing activities, that monitoring vessel activity in the Eastern SMA can also reduce IUU fishing, and that data regarding the implementation of the purse seine catch retention requirements are needed. The lack of transshipment data from the U.S. HMS fleets operating in the Convention Area and the lack of discard data for the U.S. purse seine fleet would provide a disincentive to the other fishing nations in the region to provide accurate transshipment data and purse seine discard data for their fleets. Without this collection, information regarding U.S. vessels in the Eastern SMA would be limited to NMFS' and the WCPFC's VMS data. Thus, the effective management of the fishery resources under the WCPFC would be compromised.

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

The collection is consistent with OMB guidelines except that the transshipment report, notice of high seas transshipment or emergency transshipment, pre-trip notification for observer placement, notice of entry or exit for the Eastern SMA, and purse seine discard report will be completed for each relevant activity and as such, more frequently than quarterly. This frequency of information collection is mandated by the decisions of the WCPFC and has been determined to be necessary to ensure compliance with its conservation and management measures.

**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, RIN 0648-BA85 was published on February 15, 2012 (77 FR 8759), which solicited public comments on this collection of information. NMFS received one public comment letter in response to the proposed rule. One of the matters raised in the comment letter pertained

to this collection of the information. The letter indicated that NMFS had underestimated the frequency of U.S. troll and pole-and-line vessels transiting the Eastern SMA and the associated costs of providing the entry and exit notifications. However, the letter did not include any indication of the number of Eastern SMA entry and exit notifications that would need to be submitted by such vessels on an annual basis. Given the limited activity of the U.S. albacore troll fleet in the Convention Area in recent years, NMFS believes that the original estimate of zero to two entries per year (and zero to two exits per year) is reasonable and an appropriate basis on which to estimate the costs to the U.S. albacore troll fleet to satisfy the Eastern SMA entry and exit notification requirements. However, NMFS acknowledges that should the activity of the U.S. albacore troll fleet in the Convention Area return to the greater levels experienced in the past and should that increased activity include use of the historic lines of transit mentioned in the comment, the number and associated costs of the entry and exit notifications could be considerably higher..

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

No payment or gifts to respondents are provided.

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

As stated on the forms, information submitted to NMFS will be managed as confidential data, as appropriate, consistent with the requirements of [NOAA Administrative Order 216-100, Section 506\(d\)](#) of the WCPFCIA, and regulations under 50 CFR Part 300. Transshipment information, discard information and entry and exit information will be safeguarded from improper access, modification, or destruction, to a degree commensurate with the risk and magnitude of harm that could result from the loss, misuse, or unauthorized access to or modification of such information. However, NOAA and NMFS have no direct control over the confidentiality policies and practices of the WCPFC, so once the information is transmitted to the WCPFC, NMFS and NOAA cannot provide any assurance of confidentiality. Although the WCPFC does have policies and procedures in place to control the dissemination of sensitive data, such policies and procedures are not necessarily the same as those of NMFS.

**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.**

This collection of information contains the following five elements: (1) transshipment reports; (2) notice for high seas transshipment or emergency transshipment; (3) pre-trip notification for observer placement; (4) notice of entry or exit for Eastern SMA; and (5) purse seine discard report. Vessels of the United States from the following major fishing sectors will be affected by the required information collection: purse seine, longline, and troll. The total estimated number

of vessels that will be subject to this collection of information is 232 (36 purse seine, 170 longline, and 26 troll), based on the number of longline vessels permitted to fish under the Fishery Ecosystem Plan for Pacific Pelagic Fisheries of the Western Pacific Region or the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species as of January 2011, the number of purse seine vessels licensed under the Treaty as of January 2011, and the average annual number of albacore troll vessels that fished in the Convention Area during 2002-2009.

**The number of total estimated responses for all U.S. fleets for this collection of information is 1028, with a total estimated annual burden of 649 hours.**

*(a) Transshipment Report:*

NFMS estimates the time needed to complete and submit the Pacific Transshipment Declaration Form to be approximately 60 minutes per response. It is estimated that there will be 322 responses per year. Estimated annual responses are broken down as follows: (1) 259 purse seine transshipments, which is based on the average annual number of purse seine transshipments that took place within the Convention Area between 2008 and 2009; (2) 24 longline transshipments, which is based on the average annual number of longline transshipments that took place within the Convention Area between 1993 and 2009; (3) 39 troll transshipments, which is based on the average annual number of transshipments that took place within the Convention Area between 1990 and 2009.

Total estimated responses per year: 322 transshipments/yr x 1 response/transshipment = 322  
**Total estimated burden per year: 322 responses/yr x 60 min/response = 322 hours**

*(b) Notice for High Seas Transshipment or Emergency Transshipment:*

NFMS estimates the time needed for vessel owners/operators to submit notice for high seas transshipment or emergency transshipment to be approximately 15 minutes per response. U.S. purse seine vessels are currently prohibited from conducting transshipments on the high seas (50 CFR 300.216(b)), so notices for that fleet will only need to be given in the case of an emergency transshipment. For the purpose of this Supporting Statement, it is projected that the purse seine fleet may require up to 5 emergency transshipments per year, for a total of 5 responses per year. Assuming that longline transshipments generally take place on the high seas (data are unavailable to indicate the location of past transshipments, but anecdotal information suggests that the majority of transshipments take place at sea) it is estimated that the longline fleet will submit a total of 24 responses per year. It is estimated that troll vessels will conduct an average of 39 transshipment operations per year, all of which take place on the high seas, for an estimated 39 responses per year.

Total estimated responses per year: 68 transshipments/yr x 1 response/transshipment = 68  
**Total estimated burden per year: 68 responses/yr x 15 min/response = 17 hours**

*(c) Pre-trip Notification for Observer Placement:*

NMFS estimates the time needed for vessel owners/operators to submit notice for observer placement to be 1 minute per response. Under the existing requirements at 50 CFR 300.216, U.S.

purse seine vessels are prohibited from transshipping at sea in the Convention Area, so no transshipment observers will be needed and no responses are expected. Based on historical transshipment patterns, about 12 responses per year are expected from vessels in the longline fleet. Existing regulations under 50 CFR 665.803(a) require U.S. longline vessels to provide notice to the NMFS Pacific Islands Regional Administrator at least 72 hours (excluding weekends and Federal holidays) before the vessel leaves port on a fishing trip that takes place within the U.S. EEZ. It is expected that vessel owners/operators will use those currently required notices as an opportunity to provide this new notification. Consequently, it is estimated that this pre-trip notification will require only an additional 1 minute per response, on average, for vessels in the longline fleet. For the troll fleet, it is expected that all transshipments at sea would be made to foreign-flagged receiving vessels that would be required to carry observers – that is, that the offloading troll vessels would not have to carry observers under this new requirement, and that this collection would place no additional burden on the troll fleet.

Total estimated responses per year: 12 transshipments/yr x 1 response/transshipment = 12

**Total estimated burden per year: 12 responses/yr x 1 min/response = 12 minutes.**

(d) *Notice of Entry or Exit for Eastern SMA:*

NMFS estimates the time needed for vessel owners/operators to submit notice for entry into or exit from the Eastern SMA to be approximately 15 minutes per response. Based on vessel location data from recent years, about 6 responses per year are expected from longline vessel owners/operators, 4 responses from purse seine owners/operators, and 4 responses from troll owners/operators.

Total estimated responses per year: 14 entries+exits/yr x 1 response/entry-or-exit = 14

**Total estimated burden per year: 14 responses/yr x 15 min/response = 3.5 (4) hours**

(e) *Purse Seine Discard Report:*

NMFS estimates the time needed to complete and submit the U.S. Purse Seine Discard Form to be approximately 30 minutes per response. Based on discard data for 2008, the last year for which complete data are available, an estimated 612 responses per year are expected from purse seine owners/operators.

Total estimated responses per year: 612 discards/yr x 1 response/discard = 612

**Total estimated burden per year: 612 responses/yr x 30 min/response = 306 hours.**

**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).**

(a) *Transshipment Report:*

Owners and operators of vessels responsible for submitting the Pacific Transshipment Declaration Form will have the option to fax or email the form without signatures for transshipments on the high seas or emergency transshipments, but the original, signed paper form must be submitted to the NMFS Pacific Islands Regional Administrator in all cases. The

estimated cost to respondents for electronic communications, postage, and photocopying is \$1.00 per response. At 322 expected responses per year, the total estimated cost is **\$322 per year**.

*(b) Notice for High Seas Transshipment or Emergency Transshipment:*

Notice for high seas or emergency transshipment must be provided by fax or email. The estimated cost to respondents for electronic communications is \$1.00 per response. At 68 expected responses per year, the total estimated cost is **\$68.00 per year**.

*(c) Pre-trip Notification for Observer Placement:*

The estimated cost for the pre-trip notification for observer placement is \$1.00 per notification, which will generally be made by telephone. At 12 expected responses per year, the total estimated cost is **\$12.00 per year**.

*(d) Notice of Entry or Exit for Eastern SMA:*

Notice of entry or exit for the Eastern SMA must be provided by fax or email. Estimated cost to respondents for electronic communications is \$1.00 per response. At 14 expected responses per year, the total estimated cost **\$14.00 per year**.

*(e) Purse Seine Discard Report:*

Owners and operators of vessels responsible for submitting the U.S. Purse Seine Discard Form will fax or email the form directly to the WCPFC Executive Director and fax or email the form to NMFS. A hard copy of the form will have to be provided to the observer on board the vessel. The estimated cost to respondents for electronic communications, postage, and photocopying is \$1.00 per response. At 612 expected responses per year, the total estimated cost is **\$612 per year**.

**Total Cost: \$1028 per year.**

**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 estimated to be \$5,252. This includes the cost of printing the Pacific Transshipment Declaration Forms, U.S. Purse Seine Discard Forms, estimated at \$112 per year (934 responses x \$0.12 per form) and processing (receiving and entering data into database) all Pacific Transshipment Declaration Forms, notices of high seas transshipments and emergency transshipments, pre-trip notifications for observer placement, notices of entry into or exit from the Eastern SMA, and U.S. Purse Seine Discard Forms, estimated at \$5,140 per year (1028 responses x 15 min/response x \$20/hr in labor costs).

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

Not Applicable.

**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 WCPFC will use the data primarily in aggregated, non-confidential format. 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.**

Not Applicable.

**18. Explain each exception to the certification statement.**

Not Applicable.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

No statistical methods are employed.