SUPPORTING STATEMENT
VESSEL MONITORING SYSTEM FOR ATLANTIC HIGHLY MIGRATORY SPECIES
OMB CONTROL NO. 0648-0372

A. JUSTIFICATION

This is a resubmission of a request is for revision and extension of a current information collection, with Final Rule 0648-BD24. There were no changes made based on comments received. Comments are summarized in Question 8.

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

Vessel Monitoring Systems (VMS) aid the National Marine Fisheries Service (NMFS) Office of Law Enforcement (OLE) in monitoring and enforcing closed and gear restricted areas implemented to reduce bycatch of juvenile swordfish, sharks, sea turtles, and other species necessary to comply with the Marine Mammal Protection Act, Endangered Species Act, and National Standard 9 (bycatch and bycatch mortality reduction) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). There are numerous areas that are closed to fishermen fishing for Atlantic highly migratory species (HMS) with pelagic and bottom longline gear onboard.

Consistent with implementing regulations in place for the Atlantic Large Whale Take Reduction Plan (ALWTRP), shark gillnet vessels are required to use VMS at certain times of year to minimize the likelihood of interactions between fishing gear and marine mammals. Traditional methods of surveillance by ships and planes would be ineffective in patrolling such large areas. In HMS fisheries, VMS is designed to automatically report positions on all vessels carrying pelagic longline gear (at all times and all locations), bottom longline gear (vessels between 33°00' N. latitude and 36°30' N. latitude between January 1 and July 31 every year), or shark gillnet gear (all locations, between November 15 and April 15) on board.

The purpose of this collection of information is to comply with the Magnuson-Stevens Act, the United States' obligations under the Atlantic Tunas Convention Act of 1975 (ATCA; 16 U.S.C. 971), other domestic Federal regulations, and the implementing regulations at 50 CFR part 635. Currently, individuals new to the fishery, and purchasing Electronic Mobile Transmitting Unit (E-MTU) VMS for the first time, are required to submit a one-time installation and activation checklist after a new VMS unit is installed by a qualified marine electrician.

Vessel operators are currently required for each trip to have their VMS units on and providing hourly position signals beginning at least two hours before leaving port, and continuing to do so until they return to port. We, NMFS, are proposing that vessels permitted to participate in Atlantic HMS fisheries subject to VMS requirements be required to transmit a signal indicating the vessel's position at least once an hour, 24 hour a day, every day of the year they are required to use VMS whether they are at sea or in port using their Electronic Mobile Transmitting Unit (E-MTU) VMS units. However, implementing this requirement would mean that fishermen would need to request a documented exemption if their VMS units need to be powered down for

various reasons such as placing the vessel in dry dock for repairs or suspending fishing activity for an extended period. In such instances, fishermen would need to contact NMFS OLE and follow the instructions provided to obtain a documented exemption. By requiring HMS permitted vessels to provide hourly position reports, 24 hours a day, 7 days a week (24/7), on their VMS units, we will improve fisheries monitoring and enforcement of regulations, and provide vessel operators with greater reporting flexibility by *eliminating the need to hail-out two hours prior to departing port for a fishing trip.*

Vessel operators in possession of Atlantic HMS permit may fish for other non-HMS, and not retain any HMS, at different times of year. Therefore, we are also proposing a change to the current declaration system to provide permitted vessels the option of a l*ong-term declaration out of the fishery when not fishing for or retaining HMS for two or more consecutive trips, which would exempt the vessel from hail-in and hail-out requirements for each trip.* Finally, we are proposing to modify the current hail-in requirements so that vessel operators would be required to hail-in a minimum of three hours, *but no more than 12 hours*, before returning to port to land HMS. This change is being proposed to enable NOAA OLE to more efficiently schedule dockside inspections of vessels landing HMS.

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 applicable Information Quality Guidelines.

Individuals new to the fishery, and purchasing VMS for the first time, are required to submit a one-time installation and activation checklist after a new E-MTU VMS unit is installed by a qualified marine electrician. The checklist indicates the procedures to be followed by the marine electricians whom install the E-MTU VMS units. These forms would be completed by the electricians and then submitted to NMFS by the vessel owner. This checklist provides NMFS OLE with information about the hardware installed and the communication service provider that will be used by the vessel operator. Specific information that links a permitted vessel with a certain transmitting unit and communications service is necessary to ensure that NMFS will receive automatic position reports properly. In the event that there are problems, NMFS will have access to a database that links owner information with installation information. NMFS can then contact the vessel operator and discern whether the problem is associated with the transmitting hardware or the service provider.

E-MTU VMS units are programmed to report the vessel's location to NMFS OLE every hour, 24 hours a day, whether the vessel is in or away from port, and can be used to transmit information. This allows vessels to traverse closed areas or remain at sea after a fishery has closed as long as they do not commence fishing operations. NMFS OLE uses VMS position data to reduce costs and improve enforcement of time/area closures, to monitor the fleet during the closed period, to deter illegal fishing, to increase efficiency of surveillance patrols, to provide probable cause for obtaining a search warrant in enforcement investigations, and to support enforcement of other regulations such as closed seasons once a quota has been reached.

Currently, vessel operators are required to turn on the VMS unit two hours before leaving port to provide NMFS OLE with notice of the beginning of a fishing trip (e.g., hail-out) and a declaration of the target fishery and gear onboard. In addition, they are required to provide a minimum of three hours' advance notice of landing (i.e., hail-in). We are also proposing to alter these requirements such that fishermen pursuing HMS fisheries and providing 24 hour VMS signaling will only be required to hail-out immediately before leaving port, and hail-in a minimum of three hours, but no more than 12 hours, before landing. The proposed changes to the fishery declaration system would facilitate enforcement and compliance monitoring while reducing reporting burden placed on HMS fishermen by eliminating the need for vessel operators to arrive at their boats two hours before leaving port to provide a target species and gear declaration. The proposed change to 24/7 hourly signals would negate the need for hail-out declarations two hours in advance of leaving port by already providing NMFS OLE with location data confirming that the vessel is not fishing. Furthermore, the additional stipulation that vessels hail-in no more than 12 hours before landing will provide NMFS OLE with a more accurate estimate of when a boat will land. The new declaration system would continue to provide NMFS OLE with advance notice of the HMS target fishery and gear possessed onboard which provides enforcement with critical information concerning which regulations apply to that particular vessel during that trip.

We are also proposing to provide vessel operators carrying HMS permits, but not fishing for or retaining HMS for two or more consecutive fishing trips, the option to make long-term declarations out of the fishery so that they are not required to hail-out or hail-in on each trip. To "declare out" of HMS fisheries, the vessel operator would be required to declare that they were fishing for non-HMS species via the VMS. Such a declaration would exempt the vessel from hail-in and hail-out requirements until the vessel resumes fishing for and retaining HMS at which time the vessel will need to resume hailing-out and hailing-in for each trip. Vessels operating under a long-term declaration out of the HMS fishery would still be required to provide 24/7 hourly location signals with their VMS units, and would still be required to follow all other HMS regulations (e.g., not fishing within relevant closed areas).

Vessel operators wishing to make long-term declarations out of the fishery would be required to submit the declaration before leaving for their next fishing trip. Vessels that have declared out of the HMS fisheries, but incidentally catch and retain HMS species while fishing would be required to revise their target species and "declare in" while at sea before returning to port with any HMS species in their possession. The vessel would also then be required to hail-in as per the regular HMS reporting requirements. The provision for long-term declarations out of the fishery would reduce reporting burden on fishermen not pursuing the HMS fisheries that are intended to be monitored by the existing VMS regulations governing HMS fisheries, while still allowing NMFS OLE to monitor vessels targeting HMS fisheries.

Any proposed changes to the declaration system would be compatible with the capabilities of required E-MTU VMS units and consistent with declaration protocols currently employed in Council-managed fisheries. Additionally, the requirement to notify NMFS enforcement at least three hours, but no more than 12 hours, prior to returning to port provides notification that fishing activities are being completed, gear is no longer being deployed, and the vessel is transiting back to port.

In the event that a vessel has to power down their VMS unit, any long-term declaration would become null and void, and a new declaration would have to be issued upon powering up the VMS unit. Fishermen would need to request a documented exemption if their VMS units need to be powered down for various reasons such as placing the vessel in drydock for repairs or suspending fishing activity for an extended period. In such instances, fishermen would need to contact NMFS OLE and follow the instructions provided. The request must describe the reason an exemption is being request; the location of the vessel during the time an exemption is sought; the exact time period for which an exemption is needed (*i.e.* , the time the VMS signal will be turned off and turned on again); and sufficient information to determine that a power down exemption is appropriate. Approval of a power down must be documented and will be granted, at the discretion of NMFS enforcement, only in certain circumstances (e.g., when the vessel in going into dry dock for repairs or will not be fishing for an extended period of time).

NOAA Information Quality Guidelines do not apply to this information collection because the information collected will not be disseminated to the public.

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.

VMS units are used to conduct both active and passive electronic transmissions of data. Vessel operators can use the VMS unit to manually issue declarations and emails, and the VMS units provide automated, hourly position signals to NOAA OLE.

4. Describe efforts to identify duplication.

Position reports at the start of each fishing set are required of participants using the HMS logbook, and will therefore be duplicated by participants using VMS; however, VMS position reports are automated and would need to be sent every hour, 24 hours a day, 7 days a week and would not require any action on the part of the vessel operator. Typically, most of the participants in the pegalic longline (PLL) fishery for tunas and/or swordfish use the HMS logbook. Most vessels participating in the shark bottom longline (BLL) and gillnet fisheries use a different logbook (Coastal Fisheries Logbook) that does not require position reports of individual fishing set and would not be duplicated (they could also use the HMS logbook). If electronic catch reporting is developed in the future, paper logbooks may become obsolete.

There are no alternate sources of such specific and near real-time vessel location and activity information. Use of VMS is required in other fisheries and fishermen who have already purchased a VMS unit can use the same unit for multiple fisheries. Information is only reported one time to enforcement and not duplicated.

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

All owners of vessels with commercial permits for HMS, (i.e., swordfish, sharks, and tuna) are considered small entities. Current VMS regulations require approximately 308 pelagic longline, bottom longline, and shark gillnet vessels to maintain VMS units at an average monthly cost of $44/month. Individual position or message reports costs are included in the estimated monthly cost. In an attempt to provide vessel owners new to the fishery with some flexibility, NMFS OLE has published general type approval specifications in the Federal Register (January 31, 2008; 73 FR 5813) describing the types of units that would be appropriate. Existing units that meet the criteria range in price from $3,000 - $3,300, depending on the features of the E-MTU VMS device. This provides newly permitted vessel owners with some flexibility of choice and helps to minimize costs. Vessels are already required to use an E-MTU VMS in certain HMS fisheries; therefore, active vessels should already possess the required equipment. Only newly permitted vessels that are expecting to become active in the fishery will need to purchase the units.

Currently, reimbursement funds ($3,100/E-MTU VMS unit) may be available for new HMS fishery participants required to install E-MTU VMS units. The reimbursement could only be applied to the costs of the new unit and would not offset any costs incurred as a result of installation by a qualified marine electrician or data transmission.

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

Using VMS to verify the location of a vessel is passive and automatic, requiring no reporting time on the part of the vessel operator. ICCAT recognizes the developments in satellite-based VMS and their possible utility, including better resource management and, thus, more effective and sustainable use of resources. More specifically, benefits for management include increased compliance with and enhanced enforcement effectiveness regarding area restrictions, more timely data regarding fishing effort by areas, and more timely catch reporting. Other possible benefits of the VMS include increased vessel safety and dependable and confidential communications, which may improve fleet management.

Monitoring and enforcement are essential components of fisheries management. Monitoring fishing vessels facilitates enforcement of NMFS' conservation and management regulations by enabling detection of violations. Monitoring also promotes compliance by having a general deterrent effect. Lack of proper monitoring and enforcement makes it difficult to gauge the effectiveness of conservation and management measures. In the case of overfished stocks, enforcement is necessary to prevent further overfishing and subsequent decline to dangerously low stock levels. As a practical matter, it is very difficult for enforcement personnel to effectively monitor the full operational range of the U.S. pelagic longline fleet without having some method of detecting a vessel's location. With respect to pelagic longline time/area closures in particular, the size of the closed areas makes the likelihood of detection through conventional surveillance methods rather small.

The use and submission of a checklist, completed by a qualified marine electrician, is required only for the initial installation or when the hardware or communications service provider changes.

Less frequent reporting would prevent NMFS and the vessel operator from confirming that the system is functioning properly and would make it more difficult to determine whether a vessel is fishing in, or transiting through a closed area. Furthermore, not requiring vessels to make a declaration, either per trip or long-term, describing target species and gear deployed would make it difficult for NMFS OLE to know which closed areas and other regulations apply to that particular vessel.

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

VMS will be reporting positions 24 times a day, which is more frequent than OMB guidelines suggest. This frequency is required for the near real-time and accurate tracking of vessel activities. The requirement for 24 position reports per day is designed to allow NMFS to distinguish between a vessel that is setting gear, and a vessel that is traversing a closed area. Fewer reports would indicate that a vessel was in the area but would not indicate whether the vessel was setting gear or traversing the area. The time burden as a result of this frequency, however, remains minimal because the position reports are automated and require no action on the part of the vessel operator. As stated above, the two-time (per trip) declaration would facilitate improved enforcement of regulations because NMFS OLE would know which gear is being deployed and the relevant HMS target species for individual trips, while the provision of long-term declarations out of the HMS fishery would minimize burden on vessels not targeting the HMS fisheries intended to be monitored by the current regulations.

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 published on August 29, 2013 (78 FR 53397) soliciting comments on all aspects of the information collection, both those in place and those being proposed. Additional efforts to solicit public comment on the proposed rule and PRA revision included a presentation to the Atlantic HMS Advisory Panel on September 11, 2013, and a public webinar and conference call held on September 23, 2013. All aspects of the information collection, other than installation and operating costs, were affected by the proposed rule.

NMFS received several comments during the public comment period. Members of the public expressed support for the proposed alternative to allow vessel operators to issue hail-out declarations when leaving port, as opposed to the current requirement to do so two hours prior to leaving port, because the proposed requirement would be less burdensome on commercial fishermen. Some commenters expressed concern that requiring hourly position reports 24 hours a day, 7 days a week, regardless of whether the vessel was at sea or in port would increase reporting costs for those commercial fishermen whose VMS providers charge per position report.

Other commenters indicated they already left their VMS units on all the time, and the proposed requirement would not affect their costs. Additionally, commenters concerned about costs indicated that the proposed allowance for documented power down exemptions when vessels would not be fishing for extended periods of time would help to reduce unnecessary VMS reporting costs. One commenter suggested that the reporting period should be every 30 minutes rather than once an hour. Based on these comments, the agency has determined that no changes to the proposed rule or the associated burden or cost-estimates were required.

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

No payments or gifts are to be offered as part of this information collection.

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

All automated position reports received by NMFS will be treated as confidential data in accordance with the Magnuson-Stevens Act and NOAA Administrative Order 216-100.

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.

A total of 308 vessels are subject to the current VMS requirements (Table 1). Based on the number of limited access (directed and incidental) permits for swordfish, an estimated 253 pelagic longline vessels are subject to the VMS requirement. Based on the number of limited access directed shark permits, an estimated 25 bottom longline shark fishing vessels and 30 shark gillnet vessels are also subject to the VMS requirement. Once a VMS is installed by a qualified marine electrician, the vessel owner is required to submit an activation checklist via regular mail to NMFS OLE. **The estimate for this burden is 5 minutes per new participant.**

Before leaving port, vessels would transmit an electronic hail-out message to NMFS OLE declaring target species and gear deployed for the fishing trip. At this time, vessel operators would also have the option of making a long-term declaration that they are not targeting HMS. Vessels would also report, or hail-in, to NMFS OLE when they are returning to port. **NMFS estimates that these declarations would require approximately 4 minutes per trip (2 declarations, 2 minutes/declaration).** Once on, position reports are automatically sent from the VMS on an hourly basis 24/7, and would be required to continue reporting continuously unless an email requesting a documented power down exemption is submitted to and confirmed by NMFS OLE. Requests for power down exemptions should take no more than 5 minutes. Vessels not pursuing HMS fisheries for two or more consecutive trips would also have the option to submit a long-term declaration out of the fishery, via email on the VMS unit, which would

exempt them from making hail-out and hail-in declarations for the duration of the long-term declaration. Vessels operating under long-term declarations out of the HMS fishery would still be required to submit automatic hourly position reports, and would remain subject to all other applicable HMS regulations. The automatic position reports are not considered burdensome to the respondents. Burden associated with maintenance is not anticipated with the E-MTU VMS units.

Table 1. Number of HMS Vessels Required to Comply with VMS Requirements by Gear Type Based on 2010 Permit Data.

Pelagic Longline (Tuna Longline)	Bottom Longline (Directed Shark Permit Holders in NC, SC, and VA)	Gillnet (Vessels with a Directed Shark Permit and Landed Sharks with Gillnet, 2004-2007)	Total
253	25	30	308

One-time burden of installing new units for all HMS fisheries:
Total responses: Up to 5 new units installed per year and checklist submitted = 10 responses
Installation time: 5 units * 4 hour average installation = 20 hours
Submission of completed installation checklist: 5 units * 6 minutes = 30 minutes.

Estimated burden for the entire HMS fleet would be 10 responses, 20.5 (21) hours (20 hours installation + 30 minutes (rounded up to 1 hour) for completing checklists). **This would be an annual burden, as 5 installations are expected annually.**

Pelagic Longline Vessels:
All pelagic longline vessels participating in HMS fisheries are currently required to have an E-MTU VMS unit installed by a qualified marine electrician, and to declare target species and gear being deployed to NMFS OLE before fishing and inform NMFS OLE when returning to port. Under the newly proposed VMS rules, these vessels would be required to provide hourly position reports 24/7 unless granted a documented power down exemption from NMFS OLE.

Trip duration within the pelagic longline fleet varies based on time of year, location, target species, market prices, quota availability, and other factors. Logbook data indicate that the average trip duration for pelagic longline vessels is 9 days. It is assumed that vessels need at least one day in port to offload their catch and procure supplies before returning to sea, during which time they would not be required to provide position reports. On average, PLL vessels may take 36 trips per year, which equals 324 days per year at sea (36 trips/year * 9 days/trip = 324). Each trip would require 2 declarations/trips and it is estimated that each declaration would require 2 minutes.

Recurring burden (If no vessels declare out of the fishery):
Per vessel responses: 36 trips/year * 2 declarations = 72 declarations. Total responses: 72 * 253 = **18,216**.
36 trips/year * 2 declarations * 2 minutes/declaration / 60 minutes/hour = 2.4 hours/vessel).
Estimated burden for the entire PLL fleet would be **607 hours** (253 vessels * 2.4 hours/vessel = 607 hours).

Total annual responses: 18,216
Total annual hours: 607

Shark Bottom Longline Vessels:
All vessels with bottom longline gear onboard and possessing a directed shark permit in North Carolina, South Carolina, and Virginia are required to use E-MTU VMS from January 1 to July 31 when they are between 33 N and 36.3 N on an annual basis. Newly permitted vessels would be required to have an E-MTU VMS unit installed by a qualified marine electrician, declare target species and gear being deployed to NMFS OLE before/after fishing, and provide hourly position reports 24/7 from January 1 to July 31, unless granted a documented power down exemption from NMFS OLE.

During this time period (January-July) and in this vicinity, most participants with BLL on board would be targeting Large Coastal Sharks (LCS). It is assumed that most vessels targeting LCS would be making day trips (i.e., returning to port to offload once every 24 hours). Therefore, it is assumed that vessels could be in this vicinity with bottom longline gear onboard for 212 days/year (January 1 – July 31).

Recurring burden (If no vessels declare out of the fishery):
Per vessel responses: 212 trips/year * 2 declarations = 424 declarations. Total responses: 424 * 25 = **10,600**.
212 trips/year * 2 declarations * 2 minutes/declaration / 60 minutes/hour = 14.1 (14) hours/vessel. Estimated burden for the entire PLL fleet = **350 hours** (25 vessels * 14hours/vessel = 353 hours).

Total annual responses: 10,600
Total annual hours: 353

Directed Shark Gillnet Vessels:
Vessels that possess a shark directed permit and have gillnet gear onboard between November 15 and April 15 are required to use VMS in the Southeast U.S. Restricted Area as defined in 50 CFR 229.32. NMFS estimates that 30 vessels meet this requirement.

The gillnet fishery primarily targets Small Coastal Sharks (SCS) and blacktip sharks (included in the aggregate LCS management unit). Season length for sharks varies from year to year based on quota availability, catch rates, and other considerations. Many shark gillnet vessels possess permits which allow them to participate in other fisheries using gillnet gear, therefore, to estimate burden it is assumed that affected vessels could be engaged in fishing activities and subject to VMS requirements for the duration of this time period every year (152 days).

Recurring burden (If no vessels declare out of the fishery):
Per vessel responses: 152 trips/year * 2 declarations = 304 declarations. Total responses: 304 * 30 = **9,120**.

152 trips/year * 2 declarations * 2 minutes/declaration / 60 minutes/hour = 10 hours/vessel. Estimated burden for the entire PLL fleet would be **300 hours** (30 vessels * 10 hours/vessel = 300 hours).

Total annual responses: 9,120
Total annual hours: 300

Potential reduction in burden per vessel declaring out of fishery for full season:

Per pelagic longline vessel response reduction: 36 trips/year * 2 declarations/trip – 1 initial declaration out of fishery = 71 responses x 2 minutes = 2 hours, 20 minutes (2 hours).

Per bottom longline vessel response reduction: 212 trips/year * 2 declarations/trip – 1 initial declaration out of fishery = 211 responses x 2 minutes = 7 hours.

Per directed shark gillnet vessel response reduction: 152 trips/year * 2 declarations/trip – 1 initial declaration out of fishery = 151 responses x 2 minutes = 5 hours.
Total potential reduction: 433 responses and 14 hours. NOTE: We are not claiming this as burden reduction at this time.

Table 2. Summary of the maximum burden for PLL, BLL, and gillnet vessels.

	Pelagic longline vessels	Bottom longline vessels with directed shark permits	Gillnet vessels with directed shark permits	Total
Respondents	253	25	30	308
Responses	18,216	10,600	9,120	37,936
Hours	607	353	304	1,264

Adding 10 responses and 21 hours for the installation and checklist brings the total to 37,946 responses and 1,285 hours (rounded up to 1,286 in ROCIS).

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.

Of the 308 vessels required to have VMS installed, all should have already purchased and installed their units; however, there is the possibility that up to 5 new VMS, either for new vessels or as replacements, would need to be installed each year: purchase cost: $3,100, installation cost, $50-400 (average $225). Total cost per VMS, installation and checklist: $3,325. Total overall costs: $3,325 x 5 =$16,625.

Those purchasing a EMTU VMS unit for the first time would be eligible for a refund of up to $3,100. Communication and maintenance costs, which are ongoing, have been included for all vessels in Table 3.

Table 3. Summary of the estimated total costs associated with the current and revised E-MTU VMS requirements in Atlantic HMS fisheries.

	Pelagic Longline Vessels (253)	Bottom Longline Vessels (25)	Gillnet Vessels (30)
Number of Fishing Trips/Year	36	212	152
Months Fishing/Year when VMS is Required	12	7	5
Monthly E-MTU VMS Unit Plans average including 24/7 Position Reports and data	$44.00	$44.00	$44.00
Annual Compliance Costs/ Vessel ($44/month * months fishing/year when VMS is required)	$528/vessel (12 x $44)	$308/vessel (7 x $44)	$220/vessel (5 x $44)
Annual Compliance Costs + Maintenance Costs ($500/year)	$1,028	$808 ($308 + $500)	$720 ($220 + $500)
Total Costs by Fleet	$260,084 (253 x $1028)	$20,200 (25 x $808)	$21,600 (30 x $720)
Gross Cost of Compliance, Annual (all HMS vessels)	$301,884 ($260,084 + $20,200 + $21,600)		

Total capital and start-up costs would be $16,625 ($3,325 x 5 vessels) per year.

Total annually recurring reporting costs will be $301,884 ($1,028 x 253 = $260,084) + ($808 x 25 = $20,200) + ($21,600 x 30 = $21,600): $301,884 (average of 980.14 per vessel).

Total annualized costs would be $318,509, or an average of $1,034 per vessel.

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

There would be no significant cost to the Federal government outside of the initial reimbursement for newly permitted vessels. NMFS is developing an integrated hardware and tracking system to manage the various VMS programs being developed for many other U.S. fisheries. Those costs are already covered by current programs of the Office of Law Enforcement and are extraneous to this collection. Given the current capacity of these systems, incremental costs specifically attributable to the HMS VMS program are negligible.

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

Adjustment(s): The number of affected vessels has changed from 329 to 308. The capital costs for the original 329 are cleared. The estimated time to issue a declaration was changed from 5 minutes/declaration to 2 minutes/declaration to more accurately reflect the associated burden.

Program changes (no change to burden at this time):

1. Establishment of a declaration out of the fishery option that could substantially reduce vessel reporting burden (reduction not counted at this time).

2. Changing a requirement to hail-out at least two hours before leaving port (can now be immediately before leaving port).

3. Changing hail-in requirement to no more than 12 hours before returning to port.

4. Some increase in reporting costs for certain vessels:vessels with VMS plans that charge per position report (i.e., Skymate) would see some increase in their VMS reporting costs; however, these increased costs should be relatively minor for several reasons. First, vessel operators will have the option of obtaining documented power down exemptions from NOAA OLE when they will be remaining in port for extended periods of time, which will ensure that vessel operators will only need to leave their VMS units on while in port for short stays between fishing trips. Second, pelagic longline vessels, which represent the vast majority of affected vessels, spend an average of 9 days at sea per trip with only one day between trips for off-loading their catch, and bringing on new supplies. As VMS plans that charge per report only charge $0.06 per position report, this would only result in an increased cost of $1.44 per trip.

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

No formal scientific publications based on this program are planned at this time. The data will be used for enforcement, management reports, and drafting or evaluating fishery management plan amendments by NMFS. However, subsequent use of the data collected over a series of years may be included in scientific papers and publications. Position data will remain confidential and will only be revealed to the public in aggregated form.

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.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.