

**SUPPORTING STATEMENT
FOREIGN FISHING VESSEL PERMITS, VESSEL, AND GEAR IDENTIFICATION,
AND REPORTING REQUIREMENTS
OMB CONTROL NO. 0648-0075**

A. JUSTIFICATION

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

The National Marine Fisheries Service (NMFS) issues permits, under the [Magnuson-Stevens Fishery Conservation and Management Act](#) (16 U.S.C. 1801 *et seq.*; MSA), to foreign fishing vessels fishing or operating in United States (U.S.) federal waters. The MSA and associated regulations at [50 CFR Part 600](#) require permit applicants to submit applications for the permits, that vessels and certain gear be marked for identification purposes, and that permit holders report their fishing effort and catch or, when processing fish, amount and locations of fish received from U.S. vessels. These requirements apply to all foreign vessels fishing, transshipping, or processing fish in U.S. waters.

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.

Information is collected from persons who operate a foreign fishing vessel in U.S. waters to participate in a directed fishery or joint venture operation, transship fish harvested by a U.S. vessel to a location outside the U.S., or process fish in internal waters. Each person may be required to submit information for a permit, mark their vessels and gear, or submit information about their vessel identification and fishing activities. To facilitate observer coverage, foreign fishing vessel operators must provide a quarterly schedule of fishing effort and upon request must also provide observers with copies of any required records. For foreign fishing vessels that process fish in internal waters, the information collected varies somewhat from other foreign fishing vessels that participate in a directed fishery or a joint venture operation. In particular these vessels may not be required to provide a permit application or mark their vessels.

The information submitted in applications is used to determine whether permits should be used to authorize directed foreign fishing, participation in joint ventures with U.S. vessels, or transshipments of fish or fish products within U.S. waters. The display of identifying numbers on vessels and gear aid in fishery law enforcement and allows other fishermen to report suspicious activity. Reporting of fishing activities allows monitoring of fish received by foreign vessels. Foreign fishing activity reports are made by radio when fishing begins or ceases, to report on transfers of fish, and to file weekly reports on the catch or receipt of fish and marine mammals. Weekly reports may be submitted by fax or e-mail. Recordkeeping requirements for foreign vessels include a communications log, a transfer log, a daily fishing log, a consolidated fishing or joint venture log, and a daily joint venture log. These records must be maintained for three years. Paper forms are used for foreign fishing vessel permit applications. No information is submitted for the vessel and gear marking requirements.

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.

Electronic copies of forms for weekly reports and logs are available at http://www.nmfs.noaa.gov/gpea_forms/. Activity reports and permit applications may be submitted via e-mail.

4. Describe efforts to identify duplication.

Information collected in connection with these requirements is unique.

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

This collection will not have a significant impact on small businesses, organizations or governmental entities. NOAA collects the minimum amount of information required to comply with applicable statutes and regulations.

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

Failure to collect the information would make it impossible for NMFS to carry out its responsibilities under the MSA. If this information were to be collected less frequently, the management of fisheries stocks would be impaired and the fish stocks might be harmed.

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

This collection requires reports more frequently than quarterly (e.g. on a weekly or daily basis) since quarterly reports are not timely enough to allow for monitoring of quotas and thus may not be adequate for collection of information necessary for stock assessment purposes. Otherwise, this information collection is conducted in a manner consistent with 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 January 9, 2017 (FR Doc. 2017-00150). No comments were received.

NMFS twice requested comments from the sole constituent (holder of a transshipment permit)

currently impacted by this information collection. One comment was provided, but was deemed not relevant to data collection. NMFS International Affairs and Seafood Inspection has address the comment, which was on the cost of permitting, when reviewing the Service Cost Computation for the application fee. Otherwise, the stakeholder expressed satisfaction with the data collection requirements during the application process, as well as required for compliance with the regulation.

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

No gifts or payments are provided.

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

Data submitted based on this information collection will be accorded confidentiality pursuant to section 402 of the MSA and 50 CFR Part 600, Subpart E.

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 included in this information collection.

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

We are estimating an annual burden of 82 hours for reporting and recordkeeping under this collection, broken down as follows; 56 hours for joint venture reporting and recordkeeping requirements, 8 hours for foreign fishing and transshipment permit applications, 12 hours for reporting requirements for foreign vessels operating in internal waters, and 6 hours for foreign fishing vessel and gear identification requirements. Further details on how these burdens were calculated are below.

With respect to the reporting requirements for foreign fishing joint ventures, we assume that an FFV would make 90 activity reports per year and 16 weekly reports per year, spending 6 minutes per report, **totaling 106 responses and a burden of 11 hours** $[(90+16)(6) = 636/60 = 10.6 (11) \text{ hours}]$.

For the annual recordkeeping requirements for joint ventures, we assume the FFV would need 30 minutes per day to maintain the appropriate logs. Assuming the vessel permitted to harvest fish and participate in a JV requires 30 minutes per record-keeping day for 90 days per year, **there will be 90 responses and 45 hours' burden** $[(30)(90) = 2,700/60 = 45]$.

With respect to foreign fishing, joint venture, and transshipment permit application requirements, we estimate preparation of the annual application package including the vessel identification form will take approximately 2 hours for a directed fishing application, 2 hours for a joint

venture application, and 45 minutes each for hours for 5 transshipment applications (totaling 3.75 (4) hours), **for a total of 7 responses and 8 hours.**

With respect to reporting requirements for foreign vessels operating in internal waters, we estimate an annual burden of 12 hours for this collection. It is estimated that 2 foreign fishing vessels per year will engage in internal waters operations. Each vessel is estimated to operate for 12 weeks per year. Weekly fishing and marine mammal reports are estimated to require 30 minutes each to fill out and submit. Therefore, the annual reporting burden for submitting reports, per vessel, is estimated to be: 30 minutes per week for 12 weeks= 6 hours. **The total responses will be 24, and hours, 12 (6 hr/vessel x 2 vessels).**

With respect to foreign fishing vessel identification requirements, it is estimated 7 vessels would be affected, and that it would takes 15 minutes to mark each of the three locations: **7 responses and 5 hours (7 vessels x 3 markings x 15 minutes/marking = 5.25 (5) hours.**

With respect to gear identification requirements, we estimate that it would take 30 minutes to mark two buoys attached to each line of gear, that there would be two lines of gear per vessel, and that it would take 15 minutes to attach one light to each buoy attached to the terminals of each line. While this means that the average response time per vessel would be 75 minutes, we do not anticipate that there will be any directed foreign fishing, so no vessels will actually be subject to the gear identification requirement. **Therefore, we ask approval for 1 response and 1 hour of burden as a placeholder for the gear identification requirement.**

Total respondents, responses and hours: 7; 235 and 82.

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).

The estimated total annual cost to the public is \$3,337 in recordkeeping/reporting costs, broken down as follows:

For foreign fishing joint venture reporting requirements, the cost to respondents would include fax transmissions, copying and/or phone calls to appropriate NMFS and Coast Guard offices averaging \$2.00 per weekly report and daily log, totaling \$212.

For foreign fishing vessel permit applications, copying and mailing costs are estimated at \$30 with application fees estimated at \$2,848 for a total cost of \$2,878.

For foreign fishing vessels operating in internal waters reporting requirements, the costs to respondents would include fax or email transmissions that should not exceed \$12 per month or \$3 per week. On an annualized basis, such costs would be estimated to be 2 vessels X 12 weekly reports at \$3 per weekly report or \$72 per year.

For foreign fishing vessel and gear identification requirements, we estimate paint and brush costs at \$25 per vessel for a total cost of \$175.

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

Annualized costs to the Federal Government has been estimated at \$3,514 to cover computer, mailing, and salary costs needed to process applications and issue permits for foreign fishing vessels.

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

There are no program changes. Adjustment: respondents have been corrected from 8 to 7.

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

The results will not be published.

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

This collection does not employ statistical methods.