SUPPORTING STATEMENT
WEST COAST REGION PACIFIC TUNA FISHERIES LOGBOOK AND FISH AGGREGATING DEVICE DATA COLLECTION
OMB CONTROL NO. 0648-0148

A. JUSTIFICATION

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

This request is for arevision of a currently approved collection of information. The title is changing from *Pacific Tuna Fisheries Logbook and Fish Aggregating Device Form* to *West Coast Region Pacific Tuna Fisheries Logbook and Fish Aggregating Device Data Collection* in order to more accurately describe the data in the collection.

The United States' (U.S.) participation in the Inter-American Tropical Tuna Commission (IATTC) results in certain record keeping requirements for U.S. vessel owners and operators that use purse seine gear and that fish in the IATTC's area of management responsibility. Under Federal regulations (50 CFR Part 300 Subpart C), these vessel owners and operators must maintain a log of all operations conducted from the fishing vessel. This record keeping requirement may be met by using the bridge log, which is furnished and collected from vessel owners and operators by the IATTC. As a practical matter, all U.S. vessel owners and operators use the IATTC log rather than maintaining two logbooks, and there is no separate National Marine Fisheries Service (NMFS) form in use.

Owners and operators of purse seine vessels are required to collect data specifically on fish aggregating devices (FADs) to meet international obligations under IATTC Resolution C-16-01 (*Collection and Analyses of Data on Fish-Aggregating Devices*). Owners and operators of FAD(s) are required to record information on interactions with FADs on standard forms developed by the IATTC and provided to the owners and operators by NMFS.

In July 2017, the IATTC adopted Resolution C-17-02 (*Tuna Conservation in the Eastern Pacific Ocean 2018-2020 and Amendment to Resolution C-17-01*), which includes additional data reporting requirements for active FADs. The Resolution describes an "active" FAD as a FAD that is deployed at sea and is transmitting its location and is being tracked by the vessel, its owner, or operator. According to discussions between NMFS and the U.S. industry representatives at the IATTC meeting, the vessel owners or operators already collect information on active FADs. For example, vessel owners or operators receive daily reports on each active FAD, including location and amount of metric tons of biomass underneath the FAD. Under the new requirements of this Resolution, vessel owners would be required to submit monthly reports, which would be a compilation of the daily reports, to the address specified by the HMS Branch.

The recordkeeping requirements provide information that is needed to assess the impacts of fishing on tuna stocks and non-target species, to better understand the number and type of FADs, the number of active FADs, the movements of FADs in the EPO, and to evaluate the effectiveness of management measures. The authority to implement federal rules to meet U.S.

responsibilities to the IATTC is set forth in the Tuna Conventions Act of 1950, as amended (16 U.S.C. 951 *et seq*).

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

The specific record keeping requirements are set forth in the regulations.

Bridge log:
Among the data entered daily are the date, noon position, the amount of fish on board by species, water temperature, specification of wells to keep fish, tracking device used to locate fish, and the time and location of catch. There is also a section for vessel owners or operators to enter in additional remarks. U.S. vessel owners and operators collect and record all the requested information on the IATTC form (included in this submission is the English example of the form and instructions, which are in both English and Spanish). These data are used with data from other fishing nations to monitor amounts and areas of catch by species and to annually assess the distribution and abundance of different tuna stocks. The information is also used to determine whether changes in management strategies can increase the yield from, or productivity of, the stocks (e.g., targeting larger fish to increase yield per trip). The time of gear deployment is important so that the impacts of alternate strategies (e.g., time/area closures or time of day fishing restrictions) on the fisheries can be assessed. The type of school is important in determining yield potentials as fishing on certain kinds of schools may result in greater mortality of juvenile fish or fish of certain species. The specification of wells in which fish are placed is important because landings are sampled, and catches by species and size or gender can then be allocated by area and season of fishing. This can assist in determining the key spawning areas or possibly areas in which fishing should be restricted in the future to increase yields and values from the fishery.

Current and former member nations continue to provide data to ensure that the time series of data is not broken. All nations recognize an ongoing interest in maintaining the ability to assess the status of stocks and conditions in the fisheries even in the absence of a regulatory program.

Data collection on FADs:
Reporting on FAD interactions: For each interaction with a FAD, the vessel's owner or operator is required to record data in compliance with Annex I of IATTC Resolution C-16-01 that includes: (1) position; (2) date; (3) hour; (4) FAD identification; (5) FAD type (*e.g*., drifting natural FAD, drifting artificial FAD); (6) FAD design characteristics (i.e., dimension and material of the floating part and underwater hanging structure); (7) activity type; (8) if the activity is a set, the results of the set in terms of catch and bycatch; and (9) characteristics of any attached buoy or positioning equipment (e.g., positioning system, whether equipped with sonar).

Reporting on active FADs: For active FADs owned by each U.S. vessel, the vessel owner or operator would be required to collect/maintain daily information on active FADs, such as the

number of active FADs, date, and location of the FAD.

The IATTC scientific staff will analyze the data collected on FAD activities and make management recommendations on the use of FADs in the eastern Pacific Ocean (EPO). The position, date, and hour information is important so that the IATTC scientific staff can analyze the location and the time of FAD sets and develop FAD management options (e.g., time/area closures, time of day fishing restrictions). FAD identification ensures that the IATTC scientific staff would be able to distinguish a particular FAD when analyzing data and could track FAD activities through time. The FAD design characteristics allow the IATTC scientific staff to assess what types of FADs are typically used so that they can provide recommendations on different types of design and materials. The type of activity provides context for FAD interaction and also allows the IATTC to assess the number of FADs that might be lost or left in the ocean. The results of the set allow the IATTC to analyze the catch associated with the FAD, and the characteristics for the buoy or positioning system provides additional information on how the vessel is tracking the FAD.

Data collected by NMFS will be safeguarded from improper access, modification, and destruction, consistent with National Oceanic and Atmospheric Administration (NOAA) standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. Data collected by the IATTC will be maintained in accordance with data confidentiality standards agreed to by IATTC nations under Resolution C-15-07. 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 collection of information does not involve the use of automated, electronic, mechanical, or other technological techniques. The information being submitted is the least necessary to carry out U.S. obligations as a member of the IATTC and is collected in the least burdensome manner known. The FAD form may be submitted using a paper form with the logbook. The IATTC staff have said they intent to work toward an alternative electronic fillable form that would be available on the IATTC website.

Logbook forms are sent out with new permits, the form for interactions with FADs were sent out to vessel owners with active permits, and any form that is developed for data collection on active FADs will be sent out to vessel owners once it becomes available. The logbook and the FAD form are available online on NMFS West Coast Region website and may also be requested from the IATTC at 8901 La Jolla Shores Drive, La Jolla, CA 92037, or from NMFS, West Coast

Region, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802, or by emailing wcr-permits@noaa.gov.

4. Describe efforts to identify duplication.

NMFS has sole federal authority to obtain these data. NMFS worked with the IATTC to ensure data collected on the FAD form would provide necessary information for analysis on data gaps. NMFS has coordinated with the IATTC and the State of California to eliminate redundancy between the federally-mandated reports and logbooks or landings reports required by the IATTC and the State, respectively. NMFS also coordinates with other private and public organizations that collect or compile information on catch and effort in the regulatory area to prevent duplication. This is necessary because a large portion of U.S. vessels' catches are landed in ports outside California. The logbooks are an important component of this coordinated data collection program; there are no other programs that would both result in the same information being available to the United States and the IATTC on the necessary schedule and satisfy U.S. reporting requirements.

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

Entities subject to the action related to the both the bridge log and FAD data collection requirements are considered small and large businesses. All practicable steps to minimize the burden on small entities have been taken. Recordkeeping requirements are directly proportional to each firm's level of activity. Thus, occasional, part-time, or local vessels harvesting small amounts of tuna spend less time collecting and reporting data than the larger firms.

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

If this data were not collected, there would be a significant gap in the database needed by the IATTC and the U.S. to complete stock assessments, determine U.S. interests in the fishery, to develop appropriate management measures for FADs, monitor compliance with Resolution requirements, and conduct evaluations of fishery management strategies to achieve the maximum sustainable yield from the fishery. The U.S. would be less able to protect or enhance U.S. benefits from fishing within the IATTC Convention Area. The U.S. also would not meet its commitments under the Tuna Conventions Act. The risk of erroneous stock assessments and inappropriate management would increase.

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

Not Applicable.

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 record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A proposed rule (RIN: 0648-BH13) will be published coincident with this request.

Consultations on data collection and reporting (among other matters) take place annually at the meeting of IATTC; the latest meeting was in July 2017. Feedback from the IATTC staff and from U.S. industry is the primary means for considering possible changes in the collection. In addition, the Tuna Conventions Act established a General Advisory Committee to advise the U.S. Commissioners to the IATTC and the Department of State on management issues facing the IATTC, including data submission and reporting needs. Among the members are representatives of the U.S. tuna fishing and processing industries and non-governmental organizations.

Because only the large purse seine vessels (i.e., with at least 363 metric tons of fish hold volume) fish with FADs in the EPO, the data collection requirements on FADs would only apply to these vessels. As of July 2017, there are 15 size large purse seine vessels on the IATTC Regional Vessel Register. These vessels are considered "full time," while the smaller purse seine vessels (i.e., with less than 363 metric tons of fish hold volume) are considered "part time."

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

No payments or gifts are made to any respondents.

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

As stated on the forms, individual firm data are submitted to the IATTC and are not released to the public; only aggregated data or data with vessel identifiers removed are releasable. These procedures are consistent with NOAA Administrative Order 216-100 governing the management of confidential data. The data also are maintained as confidential by the IATTC as they reveal the business practices of individual firms, and release of the data could be harmful to the firm involved. In addition, the information on active FADs can be submitted to the IATTC with a time delay of 60 days to ensure information, such as FAD location, is not identifiable.

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 sensitive questions are asked.

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

The burden estimate for the bridge log and the FAD forms record keeping and reporting is 893 hours per year, derived as follows:

Fifteen (15) full-time (i.e., large purse seine vessels) and six (6) part-time (i.e., smaller purse seine vessels).

15 vessels x 195 reports (195 days per year) = 2,925 responses x (5 minutes per bridge log entry,10 minutes per FAD interaction form, and 3 minutes per FAD active form entry)/60 minutes = 877.5 (878) hours.

6 vessels x 30 reports (30 days per year) = 180 responses x 5 minutes per entry/60 minutes = 15 hours.

Respondents = 15 + 6 = 21.
Responses = 2,925 + 180 =3,105.
Hours = 878 + 15 = 893.

Logbook records and FAD forms are maintained on a daily basis. The average vessel makes between three and four trips per year; thus, three or four submissions of logbooks (one per trip, including an entry for each day of that trip) would be made for each vessel if the IATTC form is used. The above estimate incorporates time for assembling and delivering the logbook data.

The estimated annual labor cost to respondents is estimated at $244,060, which was derived as follows:

893 hours x $20.00/hr (including overhead) = $17,860.

13. <u>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).</u>

There are no start-up or capital costs; forms are provided by the IATTC and no equipment purchases are necessary. Mail costs are estimated at $21.56 per year (84 trips x $0.49 = $41.16) (based on maximum 4 trips per vessel per year as stated above).

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

The estimated cost to the U.S. government is negligible. Logbooks and FAD forms are provided by the IATTC and forms are processed by IATTC. U.S. scientists participate in stock and fishery assessments but rely on the IATTC to provide logbook data.

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

As described in previous questions, there would be reporting on active FADs in the IATTC Convention Area, adding 147 hours (program change).

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

The data are used in the computation of stock assessments, analyses for FAD management, and fishery condition reports by NMFS and IATTC scientists. The results are compiled and analyzed for IATTC reports, typically in time for the IATTC annual meeting that usually takes place in June each year, but no time frame is set for other publications in scientific journals or government reports.

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.

We continue to request OMB approval not to display the expiration because there is no federal government form used, and therefore there is no form on which to display the expiration date. The OMB Control No. and expiration date are on a separate Paperwork Reduction Act Statement that goes with the form.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

The collection does not involve any use of sampling.