

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Pacific Islands Region Permit Family of Forms
OMB Control No. 0648-0490

Abstract

This request is for a revision to merge the permit application forms from two currently approved information collections – Pacific Islands Region Coral Reef Ecosystem Permit Form (OMB Control No. 0648-0463) and Non-commercial Permit and Reporting Requirements in the Main Hawaiian Islands Bottomfish Fishery (OMB Control No. 0648-0577) – into the currently approved Pacific Islands Region Permit Family of Forms (OMB Control No. 0648-0490). This request would also extend all included collections to the March 31, 2024 expiration date for OMB Control No. 0648-0490. OMB Control No. 0648-0463 and the permit portion of OMB Control No. 0648-0577 will be discontinued after the revision is approved. The reporting portion of OMB Control No. 0648-0577 will eventually be merged into Pacific Islands Logbook Family of Forms (OMB Control No. 0648-0214).

Fishermen in federally managed fisheries in the Pacific Islands Region (central and western Pacific) are required to maintain valid fishing permits onboard their vessels at all times. The permits currently included in this collection are: Hawaii longline limited entry, American Samoa longline limited entry, Western Pacific (WP) general longline, WP receiving vessel, Pacific Remote Island Areas troll and handline, pelagic squid jig, WP bottomfish (various areas), CNMI bottomfish, Main Hawaiian Islands non-commercial bottomfish, Pacific Islands crustaceans, coral reef fishing and transshipment, and WP precious coral. Permits are generally renewed annually and are needed to identify participants in the fisheries. Permits also are important to help measure impacts of management controls on the participants in the fisheries. Appeals of permit denials, revocations, or suspensions are included.

Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Magnuson-Stevens Fishery Conservation and Management Act established regional fishery management councils, including the Western Pacific Fishery Management Council (Council), to develop fishery management plans for fisheries in the U.S. Exclusive Economic Zone (EEZ). If approved by the Secretary of Commerce, the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) implements these plans by Federal regulations, which are enforced by NMFS, NOAA Office of Law Enforcement (OLE), and the U.S. Coast Guard (USCG), in cooperation with State agencies to the extent possible. The Council and NMFS use the fishery management plans to manage fishing to ensure sustained productivity and achievement of optimum yield from the resources for the benefit of the United States. The Council established fishery ecosystem plans (FEP) as fishery management plans for Federal fisheries management.

NMFS has jurisdiction over fisheries in Federal waters of the Pacific Ocean seaward of American Samoa, Guam, Hawaii, the Northern Mariana Islands (NMI), and the Pacific Remote Island Areas (PRIA)¹. The Council prepares, and the Secretary approves and implements through regulations, FEPs for American Samoa, Hawaii, and Mariana Islands (Guam and NMI) archipelagos, PRIA, and pelagic fisheries in the Pacific Islands region. Each of these FEPs contains requirements that fishery participants obtain Federal permits for federally managed fisheries in their area. Implementing regulations are at [50 CFR 665](#).

This collection of information is needed for permit issuance, to identify actual or potential participants in the fishery, determine qualifications for permits, and to help measure the impacts of management controls on the participants in the fishery. The permit program is also an effective tool in the enforcement of fishery regulations and facilitates communication between NMFS and fishermen.

2. 1 Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

NMFS collects information via a permit application process. Permits are valid for one calendar year and fishermen may renew the permit annually, except for the American Samoa longline limited entry permit, which is effective for three years. NMFS uses information from the permit application form to confirm the identity of the permit holder and applicant, and to determine whether the applicant qualifies for the permit. NMFS uses vessel-related information such as vessel documentation or registration, and ownership to determine whether the applicant is an owner of a U.S. documented/registered vessel. OLE, the USCG, and the Council also use the information.

This collection also includes information involving appeals of permit and permit transfer denials. The appellant must provide documentation to show why a permit should have been granted. The NMFS Pacific Islands Regional Administrator uses the information to make a final determination on permit issuance under the FEP. NMFS expects a maximum of four permit denials per year, if any. Appeal procedures are detailed in 50 CFR 665.13(m) and 50 CFR 665.801(o).

NMFS retains control over the information and safeguards it from improper access, modification, and destruction, consistent with Federal law and regulations, and NOAA policies for confidentiality, privacy, and electronic information. See response to Question 10 of this supporting statement for more information on confidentiality and privacy. NMFS designed the information collection to yield data that meet all applicable information quality guidelines. Prior to dissemination, NMFS applies to the information 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 collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

¹Howland, Baker, Jarvis, Wake and Palmyra Islands, Johnston Atoll, Midway Atoll, and Kingman Reef.

For efficiency and security, all applications and payments for Pacific Islands permits are submitted electronically. Hawaii longline limited entry permit renewals and payments are completed online via the NMFS National Permit System (NPS) at https://fisheriespermits.noaa.gov/npspub/pub_cmn_login/index_live.jsp. All other applications and payments are submitted electronically by following instructions at <https://www.fisheries.noaa.gov/pacific-islands/commercial-fishing/apply-pacific-islands-fishing-permit>. Hawaii longline permit renewals may be submitted through this latter process if a permit holder is having difficulty with NPS. All applicants are instructed to submit applications securely via Kiteworks.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2

NMFS carefully considered whether there were collections by other Federal agencies or state or territorial agencies that might meet the information needs presented above. No other collections, besides the requested information, would meet the agency's reporting requirements.

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

All of the vessels in the federally managed fisheries in the Pacific Islands region are small business entities of similar size and are affected comparably. No special measures are needed to accommodate different sized businesses. NMFS seeks the minimum amount of data needed for permit issuance and consistent with this collection in the permit application process.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Without this collection or if it is collected less frequently, NMFS will be unable to properly evaluate permit applications issued under the Pacific Islands FEPs. Also, it will be difficult to monitor the fisheries and their participants, determine entry and exit patterns, assess catch history to determine appropriate allocations for potential catch share programs, and provide information needed to ensure full impact analysis for fisheries management programs. Without this information, enforcement agents will not be able to identify current fishery participants for compliance monitoring purposes and NMFS would be unable to consult with permit holders on regulatory changes.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with OMB guidelines.

This collection will be conducted in a manner that is consistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public

comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

NMFS published a Federal Register notice on September 15, 2021 ([86 FR 51345](#)) soliciting public comments. NMFS received no comments from the notice. We also directly solicited comments from permit-related government and fishing industry contacts. We received one response from OLE stating that it had no comments.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payments or gifts are involved in this collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

As stated on all forms, the information collected is confidential under section 402(b) of the Magnuson-Stevens Act, as amended in 2006. It is also confidential under [NOAA Administrative Order 216.100](#), which sets forth procedures to protect confidentiality of fishery statistics.

NMFS published a Privacy Act System of Records Notice for Permits and Registrations for United States Federally Regulated Fisheries at <https://www.osec.doc.gov/opog/PrivacyAct/SORNs/noaa-19.html> that provides details on information collected by NMFS and its use. A Privacy Act Statement is provided on all application forms.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

NMFS asked no questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

We used the May 2020 Occupational Employment and Wages for First-Line Supervisors of Farming, Fishing, and Forestry Workers in Hawaii, considering permit holders could be business owners, vessel owners, or vessel operators. The hourly wage rate is considerably higher than in the supporting statement for the previous OMB Control No. 0490 revision and extension because the tables were updated and the Hawaii specific rate is the highest state rate listed in the table at <https://www.bls.gov/oes/current/oes451011.htm>.

Information Collection	Type of Respondent (Occupational Title)	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hrs (e) = (c) x (d)	Mean Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Hawaii longline limited entry document renewal	Permit Holder	10	1	10	0.5	5	\$32.96	\$164.80
Hawaii longline limited entry online renewal	Permit Holder	135	1	135	0.25	33.75	\$32.96	\$1112.40
Hawaii longline limited entry permit transfer	Permit Holder	20	1	20	1	20	\$32.96	\$659.20
Longline Prohibited Area Exemption	Permit Holder	1	1	1	2	2	\$32.96	\$65.92
WP general longline permit application	Permit Holder	1	1	1	0.5	0.5	\$32.96	\$16.48
WP receiving vessel permit application	Permit Holder	10	1	10	0.5	5	\$32.96	\$164.80
PRIA troll and handline permit application	Permit Holder	3	1	3	0.5	1.5	\$32.96	\$49.44
Guam large vessel bottomfish permit application	Permit Holder	1	1	1	0.5	0.5	\$32.96	\$16.48
PRIA bottomfish permit application	Permit Holder	2	1	2	0.5	1	\$32.96	\$32.96
WP Precious Coral permit application	Permit Holder	1	1	1	0.5	0.5	\$32.96	\$16.48
American Samoa Longline Limited Entry application for renewal, transfer, or additional permit	Permit Holder	30	1	30	1.25	37.5	\$32.96	\$1236.00
American Samoa Longline Limited Entry application for vessel registration	Permit Holder	5	1	5	0.75	3.75	\$32.96	\$123.60
Permit Appeal	Permit Holder	4	1	4	2	8	\$32.96	\$263.68
Northern Marianas Bottomfish permit application	Permit Holder	20	1	20	0.5	10	\$32.96	\$329.60
Pacific Islands Pelagic Squid Jig permit application	Permit Holder	1	1	1	0.5	0.5	\$32.96	\$16.48
Pacific Islands Crustacean (Lobster) permit application	Permit Holder	2	1	2	0.5	1	\$32.96	\$65.92
Pacific Islands Crustacean (Shrimp) permit application	Permit Holder	3	1	3	0.5	1.5	\$32.96	\$98.88
Coral Reef Fishing Special/Transshipment application	Permit Holder	5	1	5	2	10	\$32.96	\$329.60
Main Hawaiian Islands Non-commercial bottomfish application	Permit Holder	25	1	25	0.25	6.25	\$32.96	\$206.00
Totals				279		152		\$5017.87

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

Information Collection	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c)=(a) x (b)	Cost Burden / Respondent (h)	Total Annual Cost Burden (i) = (c) x (h)
Hawaii longline limited entry document renewal	10	1	10	\$59	\$590
Hawaii longline limited entry online renewal	135	1	135	\$46	\$6,210
Hawaii longline limited entry permit transfer	20	1	20	\$59	\$1,180
Longline Prohibited Area Exemption	1	1	1	\$0	\$0
WP general longline permit application	1	1	1	\$0	\$0
WP receiving vessel permit application	10	1	10	\$0	\$0
PRIA troll and handline permit application	3	1	3	\$0	\$0
Guam large vessel bottomfish permit application	1	1	1	\$0	\$0
PRIA bottomfish permit application	2	1	2	\$0	\$0
WP Precious Coral permit application	1	1	1	\$0	\$0
American Samoa Longline Limited Entry application for renewal, transfer, or additional permit	30	1	30	\$92	\$2,760
American Samoa Longline Limited Entry application for vessel registration	5	1	5	\$0	\$0
Permit Appeal	4	1	4	\$0	\$0
Northern Marianas Bottomfish permit application	20	1	20	\$71	\$1,420
Pacific Islands Pelagic Squid Jig permit application	1	1	1	\$71	\$71
Pacific Islands Crustacean (Lobster) permit application	2	1	2	\$0	\$0
Pacific Islands Crustacean (Shrimp) permit application	3	1	3	\$71	\$213
Coral Reef Fishing Special/Transshipment application	5	1	5	\$0	\$0
Main Hawaiian Islands non-commercial bottomfish application	25	1	25	\$70	\$1,750
TOTALS			279		\$14,194

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

The estimated annual cost to the Federal government to administer this collection of information is based on the FY20 PPS Standard Pay Tables and the percentage of time taken by the relevant staff to process applications and any appeals.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight					
Other Positions	ZA03-02	\$88,519	25		\$22,130
Supervisor	ZP04-03	\$138,906	3		\$4,167
Contractor Cost		0	0		0
Travel					0
Other Costs					\$300
TOTAL		\$227,425			\$26,597

15. Explain the reasons for any program changes or adjustments reported in ROCIS.

The following tables show the changes in the number of respondents, responses, time estimates, labor costs, and miscellaneous costs; and explain the reasons for these changes.

Information Collection	Respondents		Responses		Burden Hours		Reason for change or adjustment
	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	
Hawaii longline limited entry document renewal	10	10	10	10	5	5	
Hawaii longline limited entry online renewal	135	135	135	135	34	34	
Hawaii longline limited entry permit transfer	20	20	20	20	20	20	
Longline Prohibited Area Exemption	1	1	1	1	2	2	
WP general longline permit application	1	1	1	1	1	1	
WP receiving vessel permit application	10	10	10	10	5	5	
PRIA troll and handline permit application	3	3	3	3	2	2	
Guam large vessel bottomfish permit application	1	1	1	1	1	1	
PRIA bottomfish permit application	2	2	2	2	1	1	
WP Precious Coral permit application	1	1	1	1	1	1	
American Samoa Longline Limited Entry application for renewal, transfer, or additional permit	30	30	30	30	38	38	
American Samoa Longline Limited Entry application for vessel registration	5	5	5	5	4	4	
Permit Appeals	4	4	4	4	8	8	All Permit Appeals (including those from 0648-0463 and 0648-0577) are being combined into a single IC since the process/procedure

							is the same for all appeals.
Northern Marianas Bottomfish permit application	20	15	20	15	10	8	Updated the number of respondents, responses, and burden hours based on most recent data.
Pacific Islands Pelagic Squid Jig permit application	1	1	1	1	1	1	
Pacific Islands Crustacean Permit Application	0	7	0	7	0	4	This IC was split into Lobster and Shrimp as there is a cost for one application and not the other.
Pacific Islands Crustacean permit application (lobster)	2	0	2	0	1	0	The Crustacean IC was broken out into Lobster and Shrimp to accurately reflect burden.
Pacific Islands Crustacean permit application (shrimp)	3	0	3	0	2	0	The Crustacean IC was broken out into Lobster and Shrimp to accurately reflect burden.
Pacific Islands Region Coral Reef Ecosystems Permit & Transshipment Application (moved from 0648-0463)	5	5	5	6	10	13	ICs being added from 0648-0463. 0648-0463 only had one IC which is being broken out into 2 ICs for increased granularity (Permit & Application, and Appeals (all appeals are being rolled into 1 IC since they have the same process/procedure)).
Non-Commercial Permit Application for MHI Bottomfish Fishery (moved from 0648-0577)	25	100	25	100	6	25	IC being added from 0648-0577. No changes to burden estimates.
Total for Collection	279	351	279	352	152	173	
Difference	-72		-73		-21		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Hawaii longline limited entry document renewal	\$164.60	\$81.75	\$590	\$570	Updated labor costs and updated miscellaneous costs to reflect recently increased fees.
Hawaii longline limited entry online renewal	\$1112.40	\$551.81	\$6210	\$4590	Updated labor costs and updated miscellaneous costs to reflect recently increased fees.
Hawaii longline limited entry permit transfer	\$659.20	\$327.00	\$1180	\$1140	Updated labor costs and updated miscellaneous costs to reflect recently increased fees.
Longline Prohibited Area Exemption	\$65.92	\$32.70	\$0	\$0	Updated labor costs.
WP general longline permit application	\$16.48	\$8.18	\$0	\$0	Updated labor costs.
WP receiving vessel permit application	\$164.80	\$81.75	\$0	\$0	Updated labor costs.
PRIA troll and handline permit application	\$49.44	\$24.52	\$0	\$0	Updated labor costs.
Guam large vessel bottomfish permit application	\$16.48	\$8.18	\$0	\$0	Updated labor costs.
PRIA bottomfish permit application	\$32.96	\$16.35	\$0	\$0	Updated labor costs.
WP Precious Coral permit application	\$16.48	\$8.18	\$0	\$0	Updated labor costs.
American Samoa Longline Limited Entry application for renewal, transfer, or additional permit	\$1236.00	\$613.12	\$2760	\$2070	Updated labor costs and updated miscellaneous costs to reflect recently increased fees.
American Samoa Longline Limited Entry application for vessel registration	\$123.60	\$61.31	\$0	\$345	Updated labor costs and updated miscellaneous costs to reflect recently removed fees.
Permit Appeal	\$263.68	\$130.80	\$0	\$0	All Permit Appeals (including those from 0648-

					0463 and 0648-0577) are being combined into a single IC since the process/procedure is the same for all appeals.
Northern Marianas Bottomfish permit application	\$329.60	\$122.62	\$1420	\$765	Updated labor costs and updated miscellaneous costs to reflect recently increased fees.
Pacific Islands Pelagic Squid Jig permit application	\$16.48	\$8.18	\$71	\$50	Updated labor costs and updated miscellaneous costs to reflect recently increased fees.
Pacific Islands Crustacean permit application	0	\$57.22	0	\$350	This IC was split into Lobster and Shrimp as there is a cost for one application and not the other.
Pacific Islands Crustacean (Lobster) permit application	\$65.92	0	0	0	The Crustacean IC was broken out into Lobster and Shrimp to accurately reflect burden.
Pacific Islands Crustacean (Shrimp) permit application	\$98.88	0	\$213	0	The Crustacean IC was broken out into Lobster and Shrimp to accurately reflect burden.
Pacific Islands Region Coral Reef Ecosystems Permit & Transshipment Application (moved from 0648-0463)	\$329.60	n/a	\$0	n/a	Added labor costs for applicants that were not previously required, and updated miscellaneous costs to reflect recently increased fees. IC merged from another existing OMB control number.
Non-Commercial Permit Application for MHI Bottomfish Fishery (moved from 0648-0577)	\$206.00	n/a	\$1750	n/a	Added labor costs for applicants that were not previously required, and updated miscellaneous costs to reflect recently increased fees. IC merged from another existing OMB control number.
Total for Collection	\$5,017.87	\$2,575.12	\$14,194	\$9,880	
Difference	\$2,442.75		\$4,314		

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

NMFS does not plan a publication based solely on this collection of information at this time. However, NMFS will analyze the information in permit applications to determine eligibility for permit issuance and the need for management changes to conserve fish stocks and protect endangered or threatened marine animals and their habitats. These analyses will be included in annual stock assessment and fishery evaluation reports as required under the FEPs. The information from this collection may ultimately be published in scientific journals.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The expiration date will be displayed.

18. Explain each exception to the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

The agency certifies compliance with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).