

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Diana Hynek
Departmental Paperwork Clearance Officer
Office of the Chief Information Officer
14th and Constitution Ave. NW.
Room 6625
Washington, DC 20230

07/22/2005

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for the extension of approval of an information collection received on 06/09/2005.

TITLE: Highly Migratory Species Vessel Logbooks and
Cost-Earnings Data Reports

AGENCY FORM NUMBER(S): 88-191

ACTION : APPROVED WITHOUT CHANGE
OMB NO.: 0648-0371
EXPIRATION DATE: 07/31/2008

| BURDEN: | RESPONSES | HOURS | COSTS(\$,000) |
|----------------|-----------|--------|---------------|
| Previous | 120,854 | 24,820 | 59 |
| New | 151,356 | 30,611 | 76 |
| Difference | 30,502 | 5,791 | 17 |
| Program Change | | 0 | 0 |
| Adjustment | | 5,791 | 17 |

TERMS OF CLEARANCE: None

| | |
|--------------------------|---|
| OMB Authorizing Official | Title |
| Donald R. Arbuckle | Deputy Administrator, Office of Information and Regulatory Affairs |

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

| | |
|--|---|
| 1. Agency/Subagency originating request | 2. OMB control number b. <input type="checkbox"/> None a. _____ - _____ |
| 3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions | 4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated |
| 7. Title | 5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 8. Agency form number(s) (<i>if applicable</i>) | 6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____ |
| 9. Keywords | |
| 10. Abstract | |
| 11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government | 12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory |
| 13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____ | 14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____ |
| 15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit | 16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____ |
| 17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No | 18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____ |

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT
HIGHLY MIGRATORY SPECIES VESSEL LOGBOOKS
AND COST-EARNINGS DATA REPORTS
OMB CONTROL NO.: 0648-0371**

INTRODUCTION

This statement is submitted in support of a renewal of an information collection subject to the Paperwork Reduction Act that has been previously approved by Office of Management and Budget (OMB). This renewal would continue the successful Highly Migratory Species (HMS) Vessel Logbook program. The revision would: 1) increase the number of respondents based on recent information, 2) revise the proportion of shark and swordfish permit holders based on recent information, and 3) increase the burden estimate associated with the cost-earnings and logbook forms. The legislative authority to collect data from the various sectors of the economy that harvest marine resources in the exclusive economic zone is the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Atlantic Tunas Convention Act (ATCA). Under this dual authority, the Secretary of Commerce has promulgated rules that require specific types of record keeping and data submissions.

A. JUSTIFICATION

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

Logbook forms

The National Marine Fisheries Service (NMFS) proposes to renew the information collection requirements of the Atlantic HMS Vessel Logbook program. This program is necessary to allow NMFS to manage Atlantic HMS consistent with legal mandates in the Magnuson Stevens Act, ATCA, National Environmental Policy Act (NEPA), and others. Without the information collected through this mandatory logbook program, NMFS will not have the information needed to conduct stock assessment, monitor quotas, or prevent overfishing. Based on recent information regarding the number of permit holders, NMFS is increasing the estimated number of respondents for the charter/headboat (from 3,300 to 4,167), tuna fisheries (18,800 to 24,575), and dolphin/wahoo commercial and charter/headboat fisheries (from 43 to 106); and is modifying the estimated proportion of shark and swordfish respondents from 320 shark permit holders to 610 and 420 swordfish permit holders to 400. The total estimated number of shark and swordfish respondents is increased to 1,010. This information collection would require vessel logbooks for 10 percent of all Atlantic Tunas and HMS Angling permit holders and 100 percent for all shark, swordfish, HMS charter/headboat, and dolphin/wahoo commercial and charter/headboat permit holders.

In 1999, NMFS issued a Fishery Management Plan (FMP) for Atlantic swordfish, sharks and tunas HMS FMP, an amendment to the FMP for Atlantic Billfish (Billfish FMP Amendment), and re-issued HMS regulations in a consolidated form at 50 CFR part 635. In implementing the HMS FMP and the Billfish FMP Amendment, NMFS undertook a comprehensive approach to data collection for all HMS fisheries and made logbook programs existing at that time mandatory

for all HMS permit holders if selected. While this was already true for shark and swordfish vessels and tuna vessels that took swordfish and sharks, it was not true for tuna vessels that used gear types other than longline (e.g., rod and reel, harpoon, purse seine) or for charter/headboats. To improve data collection on fishing effort and catch in the tuna fisheries, NMFS selected ten percent of all permitted tuna vessels for the logbook reporting program including a portion from all gear categories. Additionally, all charter/headboat vessels fishing for HMS were selected for the logbook program. NMFS proposes to maintain these selection rates and have provided new estimates of burden hours based on new information regarding the number of permit holders. However, any selected tuna vessels or HMS charter/headboats already reporting through the Northeast Regional Office Multispecies logbook (0648-0212) or other Southeast Regional Office logbooks (0648-0016) could continue to use those logbooks to meet the HMS requirement.

Under 50 CFR part 635.5, selected vessel operators are required to complete logbook forms within 24 hours of a set and submit the forms no later than the seventh day after the sale of the off-loaded catch from a trip. Selected vessels include all shark, swordfish, charter/headboats, dolphin/wahoo, and approximately 10 percent of all tuna vessels. The forms submitted consist of a fishing report (catch, discards, effort and fishing area data), or a no-fishing report if no fishing took place during the monthly reporting period. The 24 hour requirement results in more timely and accurate reporting of catch and bycatch in HMS fisheries. It also facilitates enforcement of catch restrictions both at sea and at the dock.

The U.S. fishery sectors that fish directly/indirectly for Atlantic tuna, shark, swordfish, and billfish that are impacted by the HMS FMP record keeping requirements are as follows:

- For-hire Charterboats
- For-hire Headboats
- Longline Vessels
- Private/Recreational Angling Vessels
- Commercial Handgear Vessels
- Purse Seine Vessels
- Harpoon Vessels
- Gillnet Vessels
- Vessels using other gear

In addition to HMS fisheries, the HMS logbook is also used to report catches of dolphin and wahoo.

The logbook package (Attachment 1) is distributed to all selected vessels and includes an instruction sheet, no-fishing reports, trip summary forms and costs-earnings forms (combined, see below), annual expenditure form, and pre-address postage paid envelopes. Copies of tally sheets from dealers are required for all trips from which fish are sold. The logbook collects the following information: name and address of owner; vessel name and permit number; fishing location; gear; measures of effort; and number and disposition of catch (discarded-dead, alive, tagged, or kept) for each HMS caught. Information on the number and size is used to assess total and average weight of the target species being harvested. The effort expended allows estimation of Catch Per Unit Effort (CPUE), a crucial component of scientific stock assessments.

Additionally, information on discards is needed to account for total mortality and to evaluate bycatch reduction efforts required under the Magnuson-Stevens Act.

There are several forms used to report catch and effort data (Attachment 1). A set form is provided for the fishermen to record (and submit) the catch and effort information for daily trips or, as applicable, for sets (deployment and retrieval of gear as for nets, longlines). To provide the information on the entire trip, fishermen are provided a trip summary form (combined with cost-earnings form). This form eliminates the need to record certain information that is redundant for every set or day of the fishing trip, e.g., the start and ending dates for the trip, the unloading site, etc.

The HMS reporting regulations also require fishermen to include a copy of the unloading weigh-out receipt (i.e., tally sheet) for each trip where fish are sold. This receipt is provided by the seafood dealer as a normal business practice and does not constitute any additional reporting burden. However, because each species is weighed individually and the individual weights are listed on the tally sheet, these data provide the size frequency data that are a fundamental part of a stock assessment for these species. If the tally sheets were not provided, NMFS would have to use a very costly on-site sampling program to collect the same size frequency data.

This logbook program supplements data that are collected in the NMFS Marine Recreational Fisheries Statistics Survey (MRFSS), the For-Hire Survey (FHS), the Large Pelagic Survey (LPS), the Automated Catch Reporting System (ACRS), and the commercial landing cards for Atlantic bluefin tuna. Each of these programs is discussed in detail below in relation to each of the applicable fisheries.

For-Hire Charterboats (All HMS)

The MRFSS is a survey designed to provide regional and state-wide estimates of recreational catch for the entire spectrum of marine fish species in the Atlantic. It was not designed to account for the unique characteristics of HMS recreational fisheries, although information on these species is frequently obtained by the survey. The MRFSS combines dockside intercept surveys with a random-dial telephone survey, restricted to coastal counties from Maine through Louisiana. The MRFSS does not cover the State of Texas nor does it cover the headboat fisheries from Virginia through Louisiana. Therefore, complete data about the headboat sector of the fishery are not collected under the MRFSS.

The ACRS collects data on total landings of recreationally-caught bluefin tuna (i.e., not sold). In 1997, NMFS instituted a mandatory catch reporting system to supplement monitoring of the recreational fishery for bluefin tuna. Although this call-in requirement is an integral part of the recreational monitoring system it has not replaced traditional survey methods for data collection in the recreational fishery.

Important distinctions between the MRFSS, FHS, LPS, and ACRS data collection activities and the charterboat logbook program are that the data are collected from different people for each individual program, and the data are collected over different time frames. Dock samplers, under contract to NMFS for the MRFSS, intercept anglers as they have completed their charterboat fishing trips, and collect catch information from those anglers. Dock samplers also under

contract to NMFS for the FHS, intercept vessel captains or the crew of charter vessels for the total catch data. Conversely the LPS samplers only interview vessel captains or the crew of vessels with HMS CHB permits for the total catch data. The ACRS collects only recreational bluefin tuna landing data, not incorporating catch, effort, or other HMS data.

In many fisheries, CPUE measures provide an important indication of stock size. Because charter vessels participate extensively in HMS fisheries, it is critical that effort and CPUE data be provided in order for a comprehensive stock assessment to be prepared. It should also be noted that CPUE data for this sector of the fishery has provided time series data to calculate an index of abundance for several HMS, and has been an integral part of the annual stock assessments for these species. Due to concern about respondent burden, the aforementioned survey techniques do not collect all data elements that might help to standardize effort and CPUE indices, yet they are the sole source of information at this time. Logbooks provide a more comprehensive data set.

The charter logbook collects information similar to that currently collected from the billfish tournament reporting form and the pelagic logbook used for commercial gear. All collected information is kept confidential. Vessels are required to complete the HMS logbook if their vessel is selected and they are notified in writing; NMFS selects all HMS longline and charter/headboat permitted vessels and 10 percent of Atlantic Tuna and HMS Angling permitted vessels. NMFS is evaluating the use of logbook data from charterboats, rather than survey data, for use in stock assessments.

For-Hire Headboats (All HMS)

Headboat fishing is considered recreational fishing, and like the charterboat sector, the logbook program collects effort and CPUE data from this small and specialized sector of the recreational fishing industry. However, an HMS Charter/Headboat permit is considered a commercial permit for the purposes of Atlantic tunas because the owner/operator is allowed to sell any tuna caught, subject to catch regulations. In the southeast, unlike the charterboat sector, sampling from headboat trips are not included in the MRFSS, however, it is included in ACRS. Total catch and effort for all HMS headboat fishing activities are collected from the headboat logbook program. The need for good quality, representative CPUE and species composition data from this sector of the recreational fishery is the primary reason that this logbook program was implemented. The headboat logbook collects information similar to that of the charter logbooks which are described above.

Longline Vessels (Tuna, shark, swordfish)

The objective of the logbook program for this fishery is to provide detailed, comprehensive data on catches, discards, effort and fishing location from fishermen that catch HMS, either as the primary (i.e., target) species or as secondary or incidental catch. The data collected is an integral part of the annual stock assessment for HMS. Because the variability in the amount of catches between longline sets is significant, scientists need the data recorded for individual sets. This includes vessels in the shark and swordfish fisheries along with the Atlantic tunas incidental fishery. All permit holders are selected; NMFS provides all materials necessary for reporting.

Private/Recreational Vessels (Tuna only)

NMFS currently conducts statistical surveys of portions of the recreational fisheries. The primary survey vehicles of the recreational sector conducted by NMFS are the MRFSS and LPS. In addition, census data on landings of bluefin tuna are obtained through the ACRS (see charter vessel discussion). The MRFSS is designed to provide estimates of recreational catch for the entire spectrum of marine fish species in the Atlantic ranging from Maine through Louisiana. It was not designed to account for the unique characteristics of HMS recreational fisheries, although information on these species is frequently obtained by the survey. The LPS was originally designed to estimate the annual recreational catches of bluefin tuna from Virginia through New England, and the LPS collects catch information on other HMS at certain times and in certain areas. The purpose of the logbook is to provide detailed, comprehensive data on catches, landings, discards, effort and fishing location from fishermen that target HMS. Ten percent of current recreational tuna permit holders will be chosen at random to complete the logbook for one season. Selection will be stratified by geographic area and permit type (Atlantic HMS Angling and Atlantic Tunas or General Category). Those chosen will be notified by NMFS prior to the season opening. NMFS also provides all materials necessary for reporting. The logbook supplements and enhances these surveys to provide more detail than currently collected through the surveys.

Commercial Handgear Vessels (Tuna, shark, swordfish)

The objective of the logbook program for this fishery is to provide detailed, comprehensive data on catches, effort and fishing location from fishermen that catch HMS as the primary (i.e., target) species. (Note, harpoon and hook and line fishermen complete one logbook report per trip, which is usually a day in duration). All permit holders are selected; NMFS provides all materials necessary for reporting.

Purse Seine Vessels (Tuna only)

The objective of the logbook program for the Purse seine fishery is to provide detailed, comprehensive data on catches, discards, effort and fishing location from fishermen that catch HMS as a target species. This data will supplement and enhance the data currently collected through dealer landing reports. The ACRS, LPS, MRFSS, and FHS do not apply to purse seine vessels.

Harpoon Vessels (Tuna, shark, swordfish)

This program enables NMFS to more accurately monitor the Harpoon fishery by collecting information pertaining to the species targeted and effort expended which may allow an estimation of CPUE. Information from Harpoon category vessels are not currently used for CPUE, particularly due to the lack of data on several important factors that affect fishing success. Detailed logbook information enhances NMFS' ability to create a CPUE index by enabling standardization of effort. The LPS, MRFSS, and FHS do not apply to harpoon vessels.

Gillnet Vessels (Shark)

The objective of the logbook program for this fishery is to provide detailed, comprehensive data on catches, discards, effort and fishing location from fishermen that catch shark, as the primary (i.e., target) species. The data collected is an integral part of the annual stock assessment for HMS because the variability in the amount of catches between drift gillnet sets is significant, scientists need the data recorded for individual sets. This collection affects vessels in the directed shark fishery. The LPS, MRFSS, and FHS do not apply to shark gillnet vessels.

Indications from several stock assessments are that many shark species are being overfished. CPUE and good data on total effort will greatly assist NMFS to further manage these stocks. Logbook data also provide better data on the catches of individual species of sharks. Prior to the implementation of the logbook program, landings (purchases) data that were reported by seafood dealers were the only data available on the quantity of sharks that were being harvested. Landings data are usually reported by generic categories, i.e., sharks, and not by individual species. Thus, logbooks are providing better data on species composition.

Dolphin/Wahoo Commercial and Charter/headboat

Prior to 2004, there was no federal permit and, therefore, no reporting requirements for dolphin and wahoo. Logbooks are a source of comprehensive and accurate data necessary for estimating fishing mortality. Without sufficient data, it was difficult to determine the stock status of dolphin and wahoo. Some data was available because some vessels reported dolphin and wahoo if the vessel held another Federal permit, such as the South Atlantic snapper-grouper, king mackerel, or swordfish permits. Some commercial fishermen specifically target dolphin and wahoo did not have any Federal permits and were not reporting catches of dolphin and wahoo. These “directed” fishermen probably have a higher CPUE than fishermen that catch dolphin and wahoo incidentally with other species, which made it important to collect the CPUE data from the fishermen catching, but no reporting, their fishing activity for dolphin and wahoo.

Once the dolphin/wahoo Federal permit was in place, all vessels targeting dolphin/wahoo were required to submit a logbook. Dolphin/wahoo permit holders, that do not hold any other type of Federal permit, are required to report in their catch in the HMS logbook. The HMS logbook was selected to minimize the number of Federal logbooks and dolphin and wahoo were already listed in the HMS logbook. Those vessels already reporting in another Federal logbook do not have any additional reporting burden as long as the dolphin and wahoo catches were recorded the other Federal logbook.

Cost-earnings form

NMFS proposes to continue the information collection requirements of the HMS Vessel Logbook such that the economic portion of the Trip Summary Form, would be mandatory for selected vessels. If selected, owners and operators of vessels with federal permits for highly migratory species (tunas, swordfish, and sharks) must maintain and submit a trip expense and earnings report within 30 days of completing the fishing trip. The information on the cost-earnings form includes the price and amount of fuel, bait, lightsticks, ice, and groceries used per trip, the total cost of the trip, the number of crew, the shares the owner, captain, and crew obtained from the trip, and for charter/headboats only, the number of passengers, the total fare receipts, and total costs for consumer goods and concession goods. NMFS also proposes to

continue collecting economic data through an Annual Expenditures Form, which would be mandatory for selected vessels.

Mandatory submission of the economic data is needed to accurately assess the economic impacts of proposed fishery management regulations on fishermen and their communities as required by NEPA, Executive Order 12866, the Regulatory Flexibility Act (RFA), and National Standards 7 and 8 of the Magnuson-Stevens Fishery Conservation and Management Act. When the cost-earnings summary was initiated in 1996, there was a relatively high voluntary response rate (approximately 24 percent of all trips). However, in one year the overall response rate fell to approximately 11 percent. In 1999, the overall response rate was approximately 10 percent. Additionally, analysis of the data revealed that self-selection resulted in an uneven data collection, with little to no information existing for some areas and a lot of information for other areas. In sum, a voluntary program resulted in a data collection that could not be used to represent all segments of the fleet.

Mandatory collection of trip-specific cost-earnings data was implemented in 2002 on a trip level and annual level. Overall, trip level economic data improves estimates of profitability and cash-flow; necessary elements for the regulatory impact analyses required by RFA and E.O. 12866. In addition, it improves estimates of the net benefits associated with different fishing areas, which is crucial for assessing effects of area and seasonal closures on fishermen. This economic information allows NMFS to better achieve resource conservation goals while mitigating economic impact on the fishermen, the vessel services sector, and dependent communities.

Additional impetus for mandatory economic data collection has resulted from the Small Business Regulatory Enforcement and Fairness Act of 1996, which amended the RFA to make compliance with the analytical requirements subject to judicial review, and the subsequent revision of NMFS' guidelines for economic analysis of fishery management actions, which focuses on the profitability of firms over both the short- and long-term. Analyses that can fully withstand legal challenges can only be performed with representative firm level economic data.

For some data, it is not necessary to collect information on a per-trip basis. Thus, the Annual Expenditures Form includes information such as the cost of repairs and maintenance, all fishing supplies, insurance, purchase of capital, boat dockage, loan payments, and business taxes. This information was removed from the trip summary form and included on an Annual Expenditures Form (Attachment 1) in 2002.

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 information requested on logbooks will be used by various offices of NMFS, Regional Fishery Management Council staff, the U.S. Coast Guard and state fishery agencies under contract to NMFS to develop, implement and monitor fishery management strategies. Analyses and summarizations of logbook and cost-earnings data are used by NMFS, the Regional Councils, the Departments of State and Commerce, OMB, the fishing industry, Congressional staff and the public, to answer questions about the nature of our fisheries resources. Information

on endangered species or marine mammals and their incidental take is requested from those fisheries where such interaction are likely to occur. These data will help NMFS meet its requirements under the Marine Mammal Protection Act and the Endangered Species Act. If reports of such occurrences are common, NMFS can proceed to minimize the harvest of such species through the promulgation of regulations.

The data will serve as input for a variety of analyses, such as: biological opinions and stock assessments; E.O. 12866 regulatory impact analyses; quota and allocation selections and monitoring; economic profitability profiles; trade and import tariff decisions; and identification of ecological interactions among species.

The logbook evolved as a means of collecting data from specific user groups within fisheries that are managed under Federally implemented FMPs. For HMS, the Southeast Fisheries Science Center (SEFSC) has the responsibility for both preparation of stock assessments (estimation of maximum sustainable yield and/or other indexes of biomass) and collection of the scientific data that are required to perform the assessments. A secondary data collection responsibility is to provide information for HMS that is necessary to routinely monitor and evaluate the conditions in the fisheries under Federal management.

Similar data elements are required for most of the logbooks, although a few variables may be specific to one fishery or type of management technique controlling harvest.

a) Information such as name, signature, and address of operator and owner are used to identify the respondent and the legal entity controlling the fishing practices of the vessel. This latter requirement is essential in monitoring the compliance of the reporting requirement, where revocation of the operators permit or fines are involved. Because many vessels are owned by corporations, identification of owner and operator on the logbook form allows NMFS to sanction the company as well as the individual vessel operator as necessary or required by the regulations. Information on the permit is obviously essential to monitoring reporting compliance.

b) Data on date of departure, date returned, days fished, duration of tows or sets, units of gear and mesh size used are all designed to quantify actual fishing effort. Fishing effort is needed to standardize differences in productivity among vessels or fishing grounds by establishing a rate catch per unit time. These data allow comparisons over time, area and gear type of catches made by a variety of harvesters. Comparisons of catch and CPUE over time are significant indicators of the biological status of the fisheries. Declining CPUE, especially if data on fishing effort are sufficiently detailed to adjust for changes in effort, can provide critical information on the status of the stock, i.e., that the level of harvest is beyond the level that is sustainable by growth and reproduction of the stock.

c) Area fished, loran bearing, depth of fishing, latitude and longitude are variables that are used to establish fishing locations. This information is related to other oceanographic and biological information to predict species availability and likely future abundance. For example, location of capture can be correlated to sea surface temperature measured by satellite to predict possible migration patterns. In addition, area or zone fished is used to cross reference locations where fishing is not permissible (such as closed areas).

d) Species information such as landings, discards and sizes of fish is the basic measure of fishing success, from which fishermen, biologists and economists infer conclusions about the status of the fishery. Landings information is also needed because controlling the quantity of fish harvested is often the means for ensuring that harvests can be replenished over time.

e) Name of buyer, dealer number and port of landing are data used to cross reference the quantity of fish caught with the quantity that is handled (processed) by the market. The important cross reference is between the total amount of catch, and the respective sizes of individual fish. It would be impossible for fishermen to measure individual fish as they are being caught and stored on board the vessels. However, many species of fish, especially the large pelagics, are individually weighed by the dealers and these weights are recorded as part of the sales transactions. By knowing the dealer that purchased the fish, cross references can be made between data submitted by the dealers and the data from the logbooks. Combining the data in this manner provides greater precision on the CPUE estimates and more information on the sizes of catches by location and time.

f) Cost-earnings information has been and will continue to be used by various NMFS' economists, regional fishery management council staff, and state fishery agencies under contract to NMFS to develop, implement, and monitor fishery management strategies. These data will be used to assess community impacts, conduct cost-benefit analyses, and, in particular, develop regulatory impact analyses of proposed regulations as required by the RFA and suggested in NMFS' guidelines for economic analyses. Note that under the RFA definition, all fishing operations in HMS fisheries are defined as small entities.

The data elements collected on the cost-earnings trip summary form include variable trip costs (fuel, bait, ice, light sticks, groceries, etc.), total shared costs and total costs. The specific form and instructions to be used are attached (Attachment 1).

The data elements collected on the Annual Expenditures Form include fishing gear, repair and maintenance expenses, insurance, dockage, etc. The specific form and instructions to be used are attached (Attachment 1).

Although the information collected is not expected to be disseminated directly to the public, it may be used in the development or review of fishery management plans, and is therefore subject to NOAA's Information Quality Guidelines. As explained in the preceding paragraphs, the information gathered has utility. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. 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.

No improved information technology has been identified as a practical means for reducing the burden on the public. A small percentage of respondents does email cost-earnings reports. In the future, NMFS hopes to evaluate the use of electronic logbooks linked to vessel monitoring systems (VMS). Since the cost-earnings forms are a relatively small part of a larger data submission, there will be no change/improvement in the reporting process at this time.

4. Describe efforts to identify duplication.

The Magnuson-Stevens Act's operational guidelines require each FMP and regulatory amendment to evaluate existing state and federal laws that govern the fisheries in question, and the findings are made part of each FMP or regulatory amendment. Each Fishery Management Council membership is comprised of state and federal officials responsible for resource management in their area. These evaluations enable NMFS to identify other collections that may be gathering the same or similar information. In addition, each FMP undergoes extensive public comment periods where potential applicants review the proposed information collection requirements. Therefore, NMFS is aware of all similar collections.

Detailed information on CPUE, effort and species composition by gear and area may be available from other sources. Some states have logbook programs to collect similar information as required in the Federal HMS logbook. Anyone filling out state logbooks with similar data fields would not be required to complete and submit a Federal logbook under this collection. The state logbook would suffice in lieu of the Federal, although a copy of the state logbook would need to be submitted to NMFS.

Likewise, selected respondents who indicate that they are participating in other Federal logbook programs under other FMPs, would be exempt from the requirements of this collection provided copies of the other logbook are submitted on a timely basis. The number of dolphin/wahoo permits in Table 1 are vessels that do not hold a federal permit for another Federal fishery; therefore these permit holders are not reporting in any other Federal logbook.

Some owners of tuna vessels selected for logbook coverage may participate in the bluefin tuna fishery. Bluefin tuna landings must be reported through the automated catch reporting system approved under 0648-0328, thus there would be some duplication. However, the ACRS report is limited to harvest of bluefin tuna while the logbook would collect information on fishing effort and catch of all species. Therefore, the level of duplication would be extremely small and is warranted due to the need to collect real-time harvest information for bluefin tuna.

Trip expense data is not being collected by another state or federal office for any gear group included in the HMS fishery. To the extent that vessels with HMS permits are reporting via other federal fisheries logbooks (e.g., NE Multispecies 0648-0212) and cost-earnings information is collected, vessel operators will be relieved of the duplicative requirements.

The Atlantic Coastal Cooperative Statistics Program (ACCSP) is conducting a pilot program that will collect economic information from randomly selected commercial fishermen who have volunteered to be part of the study. This pilot study will collect fixed and variable cost information for fishing businesses. In 2002, this pilot study will focus on fishermen in the blue crab fishery and fishermen in the northeast. More information about the ACCSP can be found at

<http://www.accsp.org>. This program currently does not focus on HMS fishermen, does not collect information on a per trip basis, and is done voluntarily. As described above, voluntarily given information is not adequate to conduct the analyses required under NEPA, E.O. 12866, or RFA.

Individuals with an authorized exempted fishing permit are required to submit an interim and annual report for catches made while conducting the exempted activities. These catches must also be reported in the permit holder's logbook. This duplication in effort is necessary to monitor the exempted activities and to ensure compliance with the exempted activities. The catches made while engaged in the exempted fishing activity must also be recorded in the logbook to accurately monitor the level of harvest for quota managed species.

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

All of the applicants are considered small businesses; separate requirements based on size of business will not be developed. Individuals participating in other Federal fisheries with similar logbook requirements are not required to submit two logbooks. Likewise, state logbooks with similar data fields would not be required to complete and submit a Federal logbook under this collection. National Marine Fisheries Service annually provides the permit holders with the HMS logbook at no additional cost. The burden to the permit holder is minimized by providing post paid envelopes. The logbooks and cost earning forms are bound with carbon copies, so there are no photocopying costs associated with the record keeping requirements. The carbon copies allow the permit hold to keep a copy for their own financial records. Additionally, the individuals required to submit the cost-earning report are randomly selected, therefore the same individuals may not need to submit the detailed cost-earnings information each year.

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

The consequence of not having information on level of effort, gear type used, number and species of fish kept, number and species of fish discarded is to increase the uncertainty involved in managing HMS fisheries and the inability to comply with domestic and international obligations.

The consequence of not having a core set of economic data at the trip level is to increase the uncertainty associated with how fishermen will respond behaviorally to changes in regulations, fishing conditions and/or market conditions. Moreover, without this information it is impossible to assess the economic impacts from a proposed regulation or to select the policy alternative that achieves a management goal at the lowest possible cost to the fisherman. To accurately capture fisherman behavior and assess economic impacts it is necessary to have economic information at the trip level since fishing operations, choice of fishing grounds, gear modifications and targeting and marketing strategies, change over the course of the season due to changes in species abundance across fishing sites and market demand across seasons and regions. This is especially true for the HMS fisheries in which individual vessel activity may range throughout the Gulf of Mexico, Caribbean Sea, and off the Atlantic coast of Southeast, Mid-Atlantic and New England states.

Another consequence of not having representative trip-level economic data could be judicial remand of conservation regulations challenged on grounds of inadequate analysis of economic impact to individual firms.

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

The reporting regulations require selected vessels to complete logbooks within 24 hours of making a set (or a trip for single day trips) and to submit all forms, except the cost-earnings form, no later than the seventh day after the sale of the catch off-loaded from a trip. It is critical that these data be timely. For fisheries that are significantly overfished and therefore subject to catch quotas, it is important to monitor fishing mortality. Also, the re-issuance of permits are predicated on compliance with the reporting requirements, and timely data are needed to determine whether fishermen are complying on a regular basis. Quality control of the logbook data is improved when the review and verification process is as close as possible to the actual time that fishing occurred.

The frequency of collection requirements for the cost-earnings form are the same under mandatory submission of the form as is under the voluntary submission. It is necessary to collect this information more often than quarterly because trip-specific information is required and recall bias is a concern if the information is recorded long after the trip. The information requested is readily available at the end of each trip after the vessel is offloaded and settlement with the fish dealer is completed. Thus, selected fishermen will be required to submit the cost-earnings form 30 days after the catch is off-loaded from a trip. For information that is not readily available at the end of each trip, fishermen will be asked to submit an Annual Expenditures Form.

8. Provide a copy of 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.

See attached Federal Register Notice (Attachment 2). No public comments were received related to this proposed information collection.

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

There are no payments or other remunerations to respondents.

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

All data that are submitted to the NMFS will be treated in accordance with NOAA Administrative Order 216-100, Confidential Fisheries Statistics. In addition, logbook data are considered to be in an entrepreneurial capacity and will be exempt from the Privacy Act concerns. It is Agency policy not to release confidential data, other than in aggregate form, as the Magnuson-Stevens Act protects (in perpetuity) the confidentiality of those submitting data. Whenever data are requested, the Agency ensures that information identifying the pecuniary business activity of a particular vessel is not identified.

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 will be asked.

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

Previously, 7,548 hours had been approved for the cost-earnings summary, based on expected compliance with a voluntary information collection, and 17,272 hours had been approved for the catch reports of the HMS Vessel Logbook, a mandatory information collection, based on the expected number of permit holders. The number of respondents of Charter/Headboat permit holders has quadrupled since the original submission for this collection. The current number of permit holders in this category is 4,167 (increased from 1,000). The number of shark and swordfish permit holders increased from 740 to 1,010 permit holders. The shark permit holders nearly doubled since the last submission from 320 shark permit holders to 610, where as the swordfish permit holders decreased slightly from 420 swordfish permit holders to 400. All swordfish permit holders are also required to hold shark permit, however, they would only be required to complete the forms once per trip. The number of dolphin/wahoo permits, not reporting under any other federal permit, is two and half times greater than the original estimate of dolphin/wahoo vessels directing effort solely in this fishery (from 43 vessels to 106 permits).

The estimated time to complete the cost-earnings data reports continues to take 30 minutes as was submitted in previously. For some sectors, predominantly swordfish, tuna, and shark longline fishermen, the reporting burden estimate may be as high as 30 minutes per response. In other sectors, however, the reporting burden estimate could be significantly less. In the Recreational Atlantic tunas fishery, for example, the burden is estimated at 10 minutes per trip because there is no labor information to be reported. Likewise, the estimated time to complete this form in the HMS charter/headboat fishery is estimated at 15 minutes because labor is typically salaried. However, because it is difficult to separate out those fishermen who use longlines and target tunas, swordfish, or sharks, NMFS submits a reporting burden estimate of **30 minutes for all fishermen**¹. At a maximum, it should take 30 minutes to complete the cost-earnings data trip summary report.

NMFS will collect the cost-earnings data from a random selection of approximately 20 percent

¹Some permits are issued by species, not by gear type. That is, a swordfish permit holder may be a longline fisherman, rod and reel fisherman, or harpoon fisherman. There is a similar situation for shark permit holders, whereas tuna fishermen are issued permits by gear type.

of the shark, swordfish, and charter/headboat fleet and 10 percent of the Atlantic Tuna and HMS Angling permit holders who were selected to report in the catch report forms. This random selection of fishermen would be stratified across all statistical areas and would be based on information provided when renewing permits and reported the previous year in logbooks. In other words, fishermen who were not active or did not have an HMS permit in the previous year would not be selected to report on the cost-earnings and annual expenditure forms.

We also propose to collect information annually about expenditures made infrequently throughout the year or only once per year from fishermen who were selected for the cost-earnings reports. Fishermen will be required to submit the annual form by January 31 of the following calendar year so that they can use their accounting records as organized during the preparation of their income tax returns. Our estimated time of 30 minutes (0.5 hours) to complete the annual form was based on the presumption that fishermen would already have organized their expenses for end-of-year tax purposes.

The number of respondents, the estimated number of responses, the time per response and the total burden estimate for completing the additional economic questions on the trip and annual reporting forms are shown in Table 1. The estimates below are based on recently available permit holder information. The difference in estimated burden hours from those previously approved to those proposed here is outlined in Table 2.

We request an increase of 1,585 (9,133 hours - 7,548 hours previously approved) hours for the cost-earnings and annual expenditure burden estimate and an increase of 4,206 (21,478 hours - 17,272 hours previously approved) for the catch report portion. These increases result in a net increase of 5,791 hours and a revised total of 30,611 hours (Table 2). The increased burden estimate reflects the large increases in HMS permits, specifically recreational tuna and HMS charter/headboat permits, and the addition of dolphin/wahoo commercial and charter headboat permits. The estimated burden hours by gear group are provided below. The estimated number of trips is based upon past activity by each gear group. For the purposes of this burden estimate, it is assumed that the HMS logbook will be completed on all of the trips selected, which is a higher response rate than is likely to occur. Note that some charter/headboats and shark vessels have the option of completing a regional logbook in lieu of the HMS logbook to the extent their participation in these fisheries also requires a logbook submission. Additionally, some charter/headboat permit holders also hold a shark or swordfish permit and some shark permit holders hold a swordfish permit. Thus, estimates for charter/headboat and shark burden hours can be considered a maximum.

Table 1. Summary of reporting requirements and estimated reporting burden estimates for respondents in HMS fisheries and Dolphin/wahoo only permit holders.

| | Fishery | | | | | Total |
|--------------------------|---------|--------|-----------|-----------------------|----------------------------------|--------|
| | Tunas | Sharks | Swordfish | HMS Charter/Headboats | Dolphin/Wahoo - commercial & CHB | |
| Number of permit holders | 24,575 | 610 | 400 | 4,167 | 106 | 29,858 |

| | Fishery | | | | | Total |
|--|------------------------------------|--------------------|-------------------|-----------------------|----------------------------------|----------------|
| | Tunas | Sharks | Swordfish | HMS Charter/Headboats | Dolphin/Wahoo - commercial & CHB | |
| Selection for logbooks | 10% | 100% | 100% | 100% | 100% | 7,741 |
| # of Respondents | 2,458 | 610 | 400 | 4,167 | 106 | |
| # of Trip Summary Reports w/Catch | 24,580 | 6,100 | 8,000 | 62,505 | 1,060 | 102,245 |
| | 2,458 @ 10 trips/yr | 610 @ 10 trips /yr | 400 @ 20 trips/yr | 4,167 @ 15 trips/yr | 106@ 10 trips/yr | |
| <i>+Burden hours @ 12min/ trip summary report</i> | 4,916 | 1,220 | 1,600 | 12,501 | 212 | 20,449 |
| # Reports w/o Catch | 4,916 | NA | NA | 20,835 | NA | 25,751 |
| | 2,458 @ 2 trips/yr | | | 4,167 @ 5 trips/yr | | |
| No-Fishing Reports | NA | 3,660 | 800 | NA | 636 | 5,096 |
| | | 610 @ 6 months/yr | 400 @ 2 months/yr | | 106 @ 6 months/yr | |
| <i>Burden hours @ 2 min/no catch or no fishing report</i> | 164 | 122 | 27 | 695 | 21 | 1,029 |
| Selection for cost-earnings data trip reports and annual expenditures form | 10% of those selected for logbooks | 20% | 20% | 20% | NA | |
| # of Respondents | 164 | 50 | 80 | 833 | | 1,209 |
| # of Cost-earnings data Trip Reports | 1,640 | 500 | 1,600 | 12,495 | NA | 17,055 |
| | 164 @ 10 trips/yr | 50 @ 10 trips/yr | 80 @ 20 trips/yr | 833 @ 15 trips/yr | | |
| <i>Burden hours @ 30 min/cost-earnings trip report</i> | 1,230 | 250 | 800 | 6,248 | NA | 8,528 |
| # of Annual Expenditures Forms | 246 | 50 | 80 | 833 | NA | 1,209 |
| <i>Burden hours @ 30 min/annual expenditures form</i> | 123 | 25 | 40 | 417 | NA | 605 |
| Total burden hours for Catch reports, including no catch or no fishing reports | 5,080 | 1,342 | 1,627 | 13,196 | 1,293 | 21,478 |

| | Fishery | | | | | Total |
|--|--------------|--------------|--------------|------------------------|-----------------------------------|---------------|
| | Tunas | Sharks | Swordfish | HMS Charter/ Headboats | Dolphin/ Wahoo - commercial & CHB | |
| Total burden hours for Cost-earnings and annual expenditures forms | 1,353 | 275 | 840 | 6,665 | NA | 9,133 |
| Total for Logbook Collection | 6,433 | 1,617 | 2,467 | 19,861 | 1,293 | 30,611 |

Table 2. The difference in previously approved burden estimates and current burden estimates.

| | Estimated Burden Hours |
|---|------------------------|
| Revised burden hours for cost-earnings data reports | 9,133 |
| Revised burden hours for catch report forms | 21,478 |
| Total: | 30,611 |
| Previously approved burden hours for cost-earnings data reports | 7,458 |
| Previously approved burden hours for catch report forms | 17,272 |
| Total: | 24,820 |
| Net Increase | 5,791 |

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 #12 above).

Currently, all forms are provided to fishermen with pre-addressed postage paid envelopes. While NMFS intends to continue to provide post paid envelopes, it is possible that NMFS may discontinue paying postage in the future due to funding or other constraints. Additionally, while NMFS provides post paid envelopes, it is possible that respondents could run out of envelopes or lose the envelopes and pay for postage on their own. Thus, for the purpose of this submission it is assumed that all postage costs will be paid by the respondents. Previously, NMFS estimated that the cost of postage for all respondents would be \$59,352 (assuming an average cost of 50 cents for 118,704 reports). Due to adjustments in the number of permit holders, the estimated number of reports has increased to 151,356. Assuming an average of 50 cents for postage, this results in a total estimated cost of postage of \$75,678, an increase of \$16,326.

The logbook and cost-earnings forms are bound with carbon copies so there are no photocopy costs associated with the recordkeeping requirement for those forms. As the annual expenditures form is not carbon copied, there could be a minor cost of 10 cents to copy the form. The previous annual cost incurred for the annual expenditures form was \$99.60 (996 reports times \$.10). Due to the increased number of permit holders, the cost for the annual expenditures form has increased to \$120.90 (1,209 reports times \$.10). Including the cost of the annual expenditures form results in a total annual cost for the entire program of \$75,799; an increase of

\$16,347. This estimated costs should be considered a maximum cost because, as indicated above, NMFS currently provides postage paid envelopes.

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

Cost to the Federal government was previously estimated to be \$183,000 per year including printing costs, labor for sight review and data entry, form development, and program management costs. There are no incremental printing costs associated with this revision to logbook collection as all forms are provided with all logbooks regardless of the requirement to complete the cost-earnings summary. There are no incremental printing costs associated with the annual expenditure form which is two pages, including instructions. Agency costs would increase for data entry and analysis for the additional information, including approximately 20 hours a week for one GS-7 employee (~\$17.16/hour). NMFS has allocated supplemental funding for the HMS logbook program as part of an agency initiative to improve economic data collection. Total cost to the Federal government is now estimated to be \$185,000 (\$167,000 + \$18,000).

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

NMFS proposes an adjustment of 5,791 hours to the total net annual burden hours. The increase in burden hours is attributed to the increased number of permit holders. The total number of permit holders increased from 24,840 to 29,858. The most significant increase occurred with the HMS Angling permit holders from 12,685 to 18,804. The Charter/Headboat permits increased by 867 permits (4,167 estimated vs. 3,300 previously).

NMFS previously estimated that 43 vessels were targeting dolphin and wahoo and did not hold another Federal permit. The final rule required all commercial and charter/headboat vessels targeting dolphin and wahoo to obtain a permit. After implementation, the number of commercial and charter/headboat vessels with a dolphin/wahoo permit increased to 106 (87 commercial and 19 charter/headboat permits).

Previously, NMFS estimated 103,608 reports for the logbook forms. Based on new estimates of the number of permit holders, NMFS now estimates the number of reports for logbook forms to be 133,092 for an increase of 29,484 reports. This amounts to a program adjustment for the logbook forms of \$14,742 (29,484 reports times \$0.50 for postage). Previously, NMFS estimated 14,100 cost-earnings reports. Based on new estimates of the number of permit holders, NMFS now estimates the submission of 17,055 cost-earnings reports, for an increase of 2,955 reports. This amounts to a program adjustment for the cost-earnings forms of \$1,478 (2,955 reports times \$0.50 for postage). Additionally, NMFS previously estimated the submission of 996 annual expenditure forms. With the increased number of permit holders, NMFS now estimates 1,209 annual expenditure forms for an increase of 213. This results in a total program change of \$127.80 (213 reports times \$0.50 for postage plus 1,209 reports times \$0.10 for photocopying). This results in a total program adjustment of \$16,347.80 (\$14,742+\$1,478+\$127.80).

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

publication.

The results from this collection are not planned for statistical publication but will be used as empirical input for analyses conducted for management and scientific purposes. Data would be released to the public only in summary or tabular 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.

As regional logbooks (e.g., 0648-0016) are used as the HMS vessel logbook in order to reduce duplication for vessels involved in regional fisheries, the expiration date assigned to this collection (0648-0371 -- 6/30/2005) would not be displayed on logbooks already displaying another expiration date.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

No exceptions are requested. However, regional logbooks (e.g., 0648-0016) are used as the HMS vessel logbook in order to reduce duplication for vessels involved in regional fisheries. Therefore, the OMB control number assigned to this collection (0648-0371) would not be displayed on logbooks already displaying another valid control number.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used. Data on the number of entities (e.g. establishments, State and local governmental units, households, or persons) in the universe and the corresponding sample are to be provided in tabular form. The tabulation must also include expected response rates for the collection as a whole. If the collection has been conducted before, provide the actual response rate achieved.

This collection of information will employ statistical methods to reduce the respondent burden and the data processing cost to the government. As indicated in the response to #12 in Section A, certain fisheries would be subject to a census while others would have a sample drawn at random. The selection rates apply both to the logbook in general (set forms and trip forms) and to the cost-earnings form (attached to trip summary forms).

As indicated in Response # 12 in Section A, all swordfish, shark, charter/headboat, and dolphin/wahoo permit holders would be selected for logbooks while only 10 percent of Atlantic Tunas and HMS Angling permit holders would be selected for logbooks. The larger population of tuna vessels (recreational and commercial combined) affords a representative sample at a 10 percent selection rate for each. In response to comments from fishermen, NMFS is proposing a 20 percent selection rate for the cost-earnings and annual expenditures forms in the commercial shark, commercial swordfish, and charter/headboat fisheries (not required for dolphin/wahoo permit holders). This rate should provide NMFS with a representative sample of the fishery as a whole. The random selection process for Atlantic Tuna and HMS Angling permit holders and

for the cost-earnings forms would ensure that the selected respondents are stratified across all statistical areas based on information reported in logbooks the previous year.

Table 1 in section A indicates the affected universe. Out of almost 30,000 permit holders, under this program approximately 7,700 would be required to submit logbooks and almost 1,200 would be required to submit the cost-earnings and annual expenditure forms. Compliance with the catch reports or logbooks is high because they are linked to permit renewal. That is, permits cannot be renewed until logbooks are submitted for the year. Often logbooks are not submitted in a timely manner but are submitted prior to renewing the permit.

2. Describe the procedures for the collection, including: the statistical methodology for stratification and sample selection; the estimation procedure; the degree of accuracy needed for the purpose described in the justification; any unusual problems requiring specialized sampling procedures; and any use of periodic (less frequent than annual) data collection cycles to reduce burden.

The sample universes are the fleet for tuna, shark, swordfish, and charter/headboat permit holders, for which we have the entire population or universe of vessels from the HMS permit data file from which to choose. The sample universe also includes any dolphin/wahoo permit holder that does not hold another federal permit.

The random sample for selection from the tuna fishery is stratified according to the following criteria:(1) state of homeport and (2) level of landings (high-liner vs. not active). The HMS logbook form contains sufficient information to determine whether or not a vessel harvested beyond or within the Exclusive Economic Zone, i.e. U.S. offshore or on the high seas. Sampling designs for other commercial fishery surveys suggests that overall vessel length provides a reliable indicator of whether a vessel is capable of fishing on the high seas. A vessel's homeport state is recorded in the HMS permit database. The sample size for selection for tuna vessels is designed to achieve a 95 percent level of precision (significance). For any strata with less than three vessels, the vessel numbers in these strata is increased to three since NMFS' policy is not to disclose information for anything less than three vessels. The stratified random sample is determined using the Neyman Allocation Method with a finite population correction. This method is being used by Dale Squires (NMFS) in the following collection: "Economic Performance Data Surveys For West Coast Commercial Fisheries Programmatic Clearance (OMB Control Number 0648-0369) for the Cost and Earnings Survey of the Troll Albacore and Swordfish Fisheries."

The random sample for the collection of cost-earnings data from the shark, swordfish, and charter/headboat fleet would be stratified according to: (1) location of fishing in the previous year within designated statistical areas and (2) level of activity (landings versus no landings/held a permit or did not hold a permit). The HMS logbook form contains sufficient information to determine where a vessel was fishing and the level of activity in the previous year. Numerous analyses of logbook data have already designated the statistical areas. These same areas would be used in the random sample. Sample size for selection of these vessels would be designed to ensure adequate representation across the fleet and across all areas. For areas where few HMS vessels fish (e.g., Sargasso or Northeast Distant areas) areas would be combined to ensure a large enough sample so data can be disclosed. Sample fleet for selection of the cost-earnings data

would then be averaged to produce information representative of the group. There are not expected to be any unusual problems requiring sampling procedures more specialized than those indicated above.

3. Describe the methods used to maximize response rates and to deal with nonresponse. The accuracy and reliability of the information collected must be shown to be adequate for the intended uses. For collections based on sampling, a special justification must be provided if they will not yield "reliable" data that can be generalized to the universe studied.

In order to maximize the response rate, brochures have been developed and circulated to educate fishermen in various sectors about reporting requirements. NMFS has also published compliance guides to remind fishermen of their obligations. Non-responders are typically contacted first by phone and then are notified by the NMFS Office of Law Enforcement of their delinquency and issued a written warning ("fix-it" notice). If there continues to be no response, citations could be issued. For the censused population, a small percentage of non-responders is not likely to decrease the reliability of the data given the number of vessels and trips. For the sampled population, however, the reliability of the data could suffer if delinquency rates prove to be high. In such a case, data between years could be combined to provide biennial estimates.

4. Describe any tests of procedures or methods to be undertaken. Tests are encouraged as effective means to refine collections, but if ten or more test respondents are involved OMB must give prior approval.

Logbooks have been used in this fishery since the 1980s and have proven an effective method of collecting data when used with observers. Before implementation mandatory collection, NMFS tested a voluntary program. The voluntary program was ineffective for meeting management needs.

5. Provide the name and telephone number of individuals consulted on the statistical aspects of the design, and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.

NMFS, Office of Science and Technology (sampling design/analysis): Dr. Rita Curtis 301-713-2328

NMFS, Southeast Fishery Science Center (data collection): Dr. Gerry Scott 305-361-4220

2005 ATLANTIC HIGHLY MIGRATORY SPECIES LOGBOOK - Set Form

Please Use Black or Blue Ink only

Official Vessel Number: Signature: _____
 I certify that the information contained on this form is accurate and complete to the best of my knowledge. NMFS Use Only:

TARGET: Swordfish Yellowfin Bigeye Mixed Tuna Sharks Dolphin Other (list) _____
 GEAR: Pelagic Longline Bottom Longline Handline Harpoon Gillnet Bandit
 Rod & Reel Otter Trawl Squid Trawl Other (list) _____

Set Date: / / 2005 Haulback Date: / / 2005

Begin Set: : am pm End Set: : am pm
 Begin Haulback: : am pm End Haulback: : am pm

Latitude at beginning: North Longitude at beginning: West Surface Water Temp: °F
 Deg Min Deg Min Date Received: (NMFS Use Only)

LONGLINE: Please do not use decimals or ranges. Use whole numbers only.
 No. of Hooks: Mainline Length (nm):
 No. of Hooks between Floats: Average Gangion Length (fm):
 No. of Light Sticks: Average Floatline Length (fm):
 Hook Type: "J" Circle Hook Size: 16° 18°
 Hook Offset: Yes No Bait Type: Dead Live Artificial
 Bait Used: Squid Mackerel Other

GILLNET: Mesh size (in):
 Total Net Length (fm):
 Fishing Depth Range (fm): to

| SWORDFISH and TUNA | | | | SHARKS | | | | | |
|--------------------|----------|-----------------|------|----------------|------------------|----------|-----------------|------|----------------|
| | No. Kept | No. Thrown Back | | Est. Lbs. Kept | | No. Kept | No. Thrown Back | | Est. Lbs. Kept |
| | | Alive | Dead | | | | Alive | Dead | |
| Swordfish | | | | | PELAGIC SHARK | | | | |
| Bonito Tuna | | | | | Blue | | | | |
| Bluefin Tuna | | | | | Mako, Longfin | | | | |
| Skipjack Tuna | | | | | Mako, Shortfin | | | | |
| Yellowfin Tuna | | | | | Oceanic Whitetip | | | | |
| Blackfin Tuna | | | | | Porbeagle | | | | |
| Albacore Tuna | | | | | Thresher, Bigeye | | | | |
| Bigeye Tuna | | | | | Thresher, Common | | | | |

| OTHER SPECIES | | | | COASTAL SHARK | | | |
|-------------------|--|--|--|---------------|--|--|--|
| White Marlin | | | | Bignose | | | |
| Blue Marlin | | | | Blacktip | | | |
| Sailfish | | | | Dusky | | | |
| Spearfish | | | | Bonnethead | | | |
| Escolar | | | | Hammerhead | | | |
| Dolphin (Mahi) | | | | Night | | | |
| Wahoo | | | | Sandbar | | | |
| King Mackerel | | | | Sharpnose | | | |
| Greater Amberjack | | | | Silky | | | |
| Banded Rudderfish | | | | Spinner | | | |
| | | | | Tiger | | | |
| | | | | White | | | |

| ENDANGERED SPECIES | | | | | | | |
|--------------------|----------|---------|------|-------------------|----------|---------|------|
| | Involved | Injured | Dead | | Involved | Injured | Dead |
| Leatherback | | | | Kemp's Ridley | | | |
| Loggerhead | | | | Hawksbill | | | |
| Green | | | | Sm. tooth Sawfish | | | |

KEEP THIS COPY FOR YOUR RECORDS

UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMIN.
NATIONAL MARINE FISHERIES SERVICE

2005

SET FORMS

FISHING VESSEL LOGBOOK RECORD
ATLANTIC HIGHLY MIGRATORY SPECIES
FISHERIES

YOU ARE ADVISED THAT DISCLOSURE OF THE INFORMATION REQUESTED IN THIS REPORT IS MANDATORY FOR THE PURPOSE OF MANAGING THE FISHERIES IN ACCORDANCE WITH THE ATLANTIC TUNAS CONVENTION ACT (16 U.S. 971 ET. SEQ.) AND THE FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976 (16 U.S.C. 1801 ET. SEQ.). FAILURE TO REPORT MAY RESULT IN CIVIL OR CRIMINAL SANCTIONS.

NAME OF VESSEL : _____

PERMIT NUMBER : _____

**2005 FISHING VESSEL LOGBOOK RECORD
ATLANTIC HIGHLY MIGRATORY SPECIES FISHERIES
SET FORM INSTRUCTIONS**

This form is to be used to report fishing activity for Atlantic highly migratory species permits. Under current regulations, all fishermen are responsible for submitting a logbook for every fishing trip. Set forms must be filled out within 48 hours of that day's activities or before offloading.

Please print all requested information clearly. A form with incomplete or unclear information may delay processing and not be credited towards your compliance. This lack of compliance may result in your permit renewal being denied.

Monthly reporting for individuals holding a Swordfish and Shark permit will be considered complete and in compliance with the regulations only if: 1) the (a) Trip Summaries for each trip completed during the month, (b) individual Set Records for each set made during the trip(s), and (c) Tally Records for all fish sold are provided; or 2) a no fishing report is provided.

If a permitted vessel did NOT fish during a calendar month, a No Fishing Reporting Form must be completed. No Fish Reports are located in the back of the Trip Summary Logbook, behind the trip report forms. Please note the following for No Fish Reports:

- A separate form must be completed for each month that no fishing occurred.
- Please do not submit one form for multiple months.
- Do not submit more than one form for each month.
- Put a check by each permit for the fishery(ies) that no fishing occurred.
- Multiple fisheries can be reported on one form.
- Do not check fisheries for which you do NOT have a permit.

In the pre-addressed envelopes provided, please mail original set forms, along with the Trip Summary Form and weighout slips (tally records), or a No Fishing Reporting Form, to:

**National Marine Fisheries Service
Logbook Program
P.O. Box 491740
Key Biscayne, Florida 33149-9915**

Mailing should be postmarked no later than the 7th day after offloading all Atlantic Highly Migratory Species, or (7) days after the end of a month which you are reporting no fishing activity. **Faxed reports are no longer accepted.**

When additional forms or envelopes are needed, please include a note with your logbook submission or call the Logbook Program at the number listed below. Include your name, address and your vessel identification number. If you have any questions, please contact the Logbook Program at (305) 361-4581, or Mr. Andy Bertolino at (305) 361-4240. Alternatively, you can visit our website at <http://www.sefsc.noaa.gov/fls.jsp>.

DESTROY OLD UNUSED FORMS. USE ONLY CURRENT YEAR FORMS.

Please use a separate log sheet for each set. If using a gear that is not fished in sets, use one sheet for each day of fishing.

- Record the **Official Vessel Number**.
- **Signature**, each set form must be signed by the captain or a person responsible for maintaining the records for the vessel.
- Designate primary **Target** species.
- Record **Gear Used**.
- Record **Set Date** and **Haulback Date** (calendar day when set or haulback began).
- Enter Times when using longlines or gillnets for:
 - **Begin Set** and **End Set** (designate **AM** or **PM**)

- **Begin Haulback and End Haulback** (designate AM or PM)
(Please note, do not use military time).
- At the start of each set, record the location to the nearest degree and minutes of **Latitude** and **Longitude**, and the **Surface Water Temperature**, in degrees Fahrenheit.
- Enter the following data for each set if using **Longline** gear:
 - **Number of hooks per set**
 - **Number of hooks between floats**
 - **Number of light sticks**
 - **Length of Mainline** (in miles)
 - **Average Length of Gangions** (in fathoms)
 - **Average Length of Floatline** (in fathoms)
 - **Indicate whether "J" Hooks or Circle Hooks were used**
 - **Indicate what size hooks were used: 16° or 18°**
 - **Indicate whether offset hooks were used: Yes or No**
 - **Bait Type: indicate Live, Dead or Artificial**
 - **Bait Used: indicate the type of bait used: Squid, Mackerel, or Other**
- Enter the following data for each set if using **Gillnet**:
 - **Mesh Size** (in inches)
 - **Total drift gillnet net length** (in fathoms)
 - **Fishing Depth Range** (Depth of top and of Bottom of net in fathoms)
- Record **NUMBERS OF SWORDFISH, TUNAS, SHARKS AND OTHER SPECIES KEPT AND THROWN BACK**. For the fish that were thrown back, please specify the number of those that were **Alive** and the number of those thrown back that were **Dead**. For **Est. Lbs Kept.**, write down the estimated dressed weight in pounds of fish kept for each species. For catches of species not listed on the form, print the species name in the blank spaces and record the appropriate catch information.
- Record **NUMBERS OF ENDANGERED SPECIES INVOLVED**
 - **Total Number Involved**. Write down the total number of each sea turtle species that were caught in, or interacted with, your fishing gear for the period of your report.
 - **Number Injured**. Write down the number of each sea turtle species that were injured while in, or by, your fishing gear.
 - **Number Dead**. Write down the number of each sea turtle species that were observed to be dead while in, or by, your fishing gear.

Remove page(s), and with the corresponding Trip Summary form and tally sheet(s), mail within 7 days after the last offloading date.

Retain the second copy of set forms for your records.

PAPERWORK REDUCTION ACT STATEMENT: Atlantic highly migratory species vessel logbooks provide information on fishing effort, target catch and bycatch in the fisheries for tunas, sharks and swordfish. This information is the basis for quota monitoring and stock assessment and is used to meet international obligations to report fishery statistics to the International Commission for the Conservation of Atlantic Tunas. Public reporting burden for this information collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completed & reviewing the collection of information, is estimated to average: 12 minutes per response for the set form (daily report); 30 minutes per response for the trip expense and earnings summary; 2 minutes per response for the no-fishing report; and 30 minutes per response for the annual expenditures form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Highly Migratory Species Management Division, National Marine Fisheries Service, F/SF1, 1315 East West Highway, Silver Spring, MD 20910. Providing the requested information in the vessel logbook is mandatory, if selected, and is necessary for managing the Atlantic highly migratory species fisheries in accordance with the Atlantic Tunas Convention Act (16 U.S.C. 971 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.). In accordance with NOAA Administrative Order 216-100, it is agency policy not to release confidential fisheries statistics, other than in aggregate form. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. This is an approved information collection under OMB Control No.: 0648-0371 and expires xx/xx/xxxx.

UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMIN.
NATIONAL MARINE FISHERIES SERVICE

2005

TRIP SUMMARY FORMS

FISHING VESSEL LOGBOOK RECORD
ATLANTIC HIGHLY MIGRATORY SPECIES
FISHERIES

YOU ARE ADVISED THAT DISCLOSURE OF THE INFORMATION REQUESTED IN THIS REPORT IS MANDATORY FOR THE PURPOSE OF MANAGING THE FISHERIES IN ACCORDANCE WITH THE ATLANTIC TUNAS CONVENTION ACT (16 U.S. 971 ET. SEQ.) AND THE FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976 (16 U.S.C. 1801 ET. SEQ.). FAILURE TO REPORT MAY RESULT IN CIVIL OR CRIMINAL SANCTIONS.

NAME OF VESSEL : _____

PERMIT NUMBER : _____

2005 ATLANTIC HIGHLY MIGRATORY SPECIES TRIP SUMMARY FORM

| | | |
|----------------------|---------------|------------|
| <i>NMFS USE Only</i> | Received Date | Schedule # |
|----------------------|---------------|------------|

Vessel Name: _____

Vessel Number: _____

Contact Phone Number: (_____) _____ - _____

Contact Name (Please Print): _____

I certify the information contained on this form is accurate and complete to the best of my knowledge:

Captain Signature: _____

Captain Name (Please Print): _____

Port & State of Departure: _____

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Port & State of Landing: _____

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Dealer Names:

| | Month | Day | Year |
|---|----------------------|----------------------|----------------------|
| Date of Departure | <input type="text"/> | <input type="text"/> | / 2005 |
| Date of First Set | <input type="text"/> | <input type="text"/> | / 2005 |
| Date of Last Set | <input type="text"/> | <input type="text"/> | / 2005 |
| Date of Landing | <input type="text"/> | <input type="text"/> | / 2005 |
| First Day Offload | <input type="text"/> | <input type="text"/> | / 2005 |
| Number of Sets | | <input type="text"/> | <input type="text"/> |
| Number of Crew Members (excluding captain) | | <input type="text"/> | <input type="text"/> |

State Trip Ticket #: _____

2005 ATLANTIC HIGHLY MIGRATORY SPECIES TRIP SUMMARY FORM

| | | |
|----------------------|---------------|------------|
| <i>NMFS USE Only</i> | Received Date | Schedule # |
|----------------------|---------------|------------|

Vessel Name: _____

Vessel Number: _____

Contact Phone Number: (_____) _____ - _____

Contact Name (Please Print): _____

I certify the information contained on this form is accurate and complete to the best of my knowledge:

Captain Signature: _____

Captain Name (Please Print): _____

Port & State of Departure: _____

Port & State of Landing: _____

Dealer Names: _____

Date of Departure:

| | | |
|----------------------|----------------------|------|
| Month | Day | Year |
| <input type="text"/> | <input type="text"/> | 2005 |

Date of First Set:

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| <input type="text"/> | <input type="text"/> | 2005 |
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Date of Last Set:

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| <input type="text"/> | <input type="text"/> | 2005 |
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Date of Landing:

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| <input type="text"/> | <input type="text"/> | 2005 |
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First Day Offload:

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| <input type="text"/> | <input type="text"/> | 2005 |
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Number of Sets:

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| <input type="text"/> | <input type="text"/> |
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Number of Crew Members (excluding captain):

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| <input type="text"/> | <input type="text"/> |
|----------------------|----------------------|

State Trip Ticket #: _____

TRIP EXPENSE & PAYMENT SUMMARY (Mandatory if selected; otherwise voluntary)

| | Unit Cost | Quantities Used (Whole numbers only) | | | | | | | | |
|--|--|---|----------------------|----------------------|---|----------------------|----------------------|----------------------|----------------------|----------------------|
| Fuel | Price Per Gallon \$ <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> | <input type="text"/> | <input type="text"/> | <input type="text"/> | Gallons used <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | |
| Bait | Price per pound \$ <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> | <input type="text"/> | <input type="text"/> | <input type="text"/> | Pounds <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | |
| Light Sticks | Price per stick \$ <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> | <input type="text"/> | <input type="text"/> | <input type="text"/> | Light Sticks Used <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | |
| Ice | Price per unit \$ <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> | <input type="text"/> | <input type="text"/> | <input type="text"/> | Quantity of Ice <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> Please circle one: Tons <input type="checkbox"/> Blocks <input type="checkbox"/> Lbs <input type="checkbox"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | |
| Ice Maker | Yes <input type="checkbox"/> No <input type="checkbox"/> | | | | | | | | | |
| Grocery Expenses | | \$ <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | |
| Other Trip Costs (Other costs incurred on this trip, excluding items listed elsewhere on this trip summary form. See instructions.) | | \$ <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | |

| Percent Share | | | | | | | | | |
|--|--|---|---|----------------------|--|--|----------------------|--------------------------------------|--|
| Crew Shares | Owner: <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> % | <input type="text"/> | <input type="text"/> | <input type="text"/> | Was crew share compensation used? | Yes <input type="checkbox"/> No <input type="checkbox"/> | | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | | |
| | Captain: <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> % | <input type="text"/> | <input type="text"/> | <input type="text"/> | Was the owner on board? | Yes <input type="checkbox"/> No <input type="checkbox"/> | | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | | |
| | Crew Average: <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> % | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | | |
| Total Shared Costs (Includes only those costs subtracted from gross revenues to calculate crew payments. See instructions.) | | \$ <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | |
| Did you use a Broker? | Yes <input type="checkbox"/> No <input type="checkbox"/> | | | | | | | | |
| Broker/Selling Expense | \$ <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr></table> OR Broker Percentage <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td></tr></table> % | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | By Revenue? <input type="checkbox"/> | or By Weight? <input type="checkbox"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | | | | | | |
| <input type="text"/> | <input type="text"/> | | | | | | | | |
| Captain License Number: _____ | | State | <table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td></tr></table> | <input type="text"/> | <input type="text"/> | | | | |
| <input type="text"/> | <input type="text"/> | | | | | | | | |

2005 ATLANTIC HIGHLY MIGRATORY SPECIES TRIP SUMMARY FORM

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| <i>NMFS USE Only</i> | Received Date | Schedule # |
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Vessel Name: _____

Vessel Number: _____

Contact Phone Number: (_____) _____ - _____

Contact Name (Please Print): _____

I certify the information contained on this form is accurate and complete to the best of my knowledge:

Captain Signature: _____

Captain Name (Please Print): _____

Port & State of Departure: _____

Port & State of Landing: _____

Dealer Names:

Date of Departure:

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Date of Last Set:

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Date of Landing:

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First Day Offload:

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Number of Sets:

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Number of Crew Members (excluding captain):

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State Trip Ticket #: _____

TRIP EXPENSE & PAYMENT SUMMARY (Mandatory if selected; otherwise voluntary)

| | Unit Cost | Quantities Used (Whole numbers only) | | | | | | | | | |
|--|--|--------------------------------------|--|--|--|---|--|--|--|--|--|
| Fuel | Price Per Gallon \$ <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> . <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> | | | | | Gallons used <table border="1" style="display: inline-table;"><tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table> | | | | | |
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| | | | | | | | | | | | |
| Bait | Price per pound \$ <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> . <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> | | | | | Pounds <table border="1" style="display: inline-table;"><tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table> | | | | | |
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| Light Sticks | Price per stick \$ <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> . <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> | | | | | Light Sticks Used <table border="1" style="display: inline-table;"><tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table> | | | | | |
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| Ice | Price per unit \$ <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> . <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> | | | | | Quantity of Ice <table border="1" style="display: inline-table;"><tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table> Please circle one: Tons <input type="checkbox"/> Blocks <input type="checkbox"/> Lbs <input type="checkbox"/> | | | | | |
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| | | | | | | | | | | | |
| Ice Maker | Yes <input type="checkbox"/> No <input type="checkbox"/> | | | | | | | | | | |
| Grocery Expenses | \$ <table border="1" style="display: inline-table;"><tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table> . <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> | | | | | | | | | | |
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| | | | | | | | | | | | |
| Other Trip Costs (Other costs incurred on this trip, excluding items listed elsewhere on this trip summary form. See instructions.) | \$ <table border="1" style="display: inline-table;"><tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table> . <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> | | | | | | | | | | |
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| Percent Share | | | | | | | | | | |
|--|--|-------|--|--|--|--|--|--|--------------------------------------|--|
| Crew Shares | Owner: <table border="1" style="display: inline-table;"><tr><td> </td><td> </td><td> </td></tr></table> % | | | | Was crew share compensation used? | Yes <input type="checkbox"/> No <input type="checkbox"/> | | | | |
| | | | | | | | | | | |
| | Captain: <table border="1" style="display: inline-table;"><tr><td> </td><td> </td><td> </td></tr></table> % | | | | Was the owner on board? | Yes <input type="checkbox"/> No <input type="checkbox"/> | | | | |
| | | | | | | | | | | |
| | Crew Average: <table border="1" style="display: inline-table;"><tr><td> </td><td> </td><td> </td></tr></table> % | | | | | | | | | |
| | | | | | | | | | | |
| Total Shared Costs (Includes only those costs subtracted from gross revenues to calculate crew payments. See instructions.) | \$ <table border="1" style="display: inline-table;"><tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table> . <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> | | | | | | | | | |
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| | | | | | | | | | | |
| Did you use a Broker? | Yes <input type="checkbox"/> No <input type="checkbox"/> | | | | | | | | | |
| Broker/Selling Expense | \$ <table border="1" style="display: inline-table;"><tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table> OR Broker Percentage <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> % | | | | | | | | By Revenue? <input type="checkbox"/> | or By Weight? <input type="checkbox"/> |
| | | | | | | | | | | |
| | | | | | | | | | | |
| Captain License Number: | _____ | State | <table border="1" style="display: inline-table;"><tr><td> </td><td> </td></tr></table> | | | | | | | |
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Instructions for the Trip Summary form

NOTE: All data provided are CONFIDENTIAL and will be used to determine the effects of existing and proposed management policies on fishery participants. Consistent and accurate reporting is critical for achieving the benefits of conservation and management of Atlantic Highly Migratory Species fisheries. The blue page is a continuation of the set form and is *mandatory* for all permitted vessels. The green page (Trip Expense and Payment Summary) is *mandatory only if your vessel has been selected and you have been notified in writing by NOAA Fisheries that this information is required of you*. Vessels not selected are encouraged to supply the information on the green page on a **voluntary basis. If you have any questions, please contact the Logbook Program at (305) 361-4581, or Mr. Andy Bertolino at (305) 361-4240, or alternatively, visit our website (<http://www.sefsc.noaa.gov/fls.jsp>). For additional logbook supplies, include a written request with your logbook submission. If your vessel **did not fish** during a given calendar month, fill out a No Fishing Reporting Form located at the back of this logbook. Instructions have been included in the Set Form Logbook, pg. 1. These reports **must be mailed (faxes are no longer accepted)** within the time period delineated below to NATIONAL MARINE FISHERIES SERVICE, P.O. BOX 491740, MIAMI, FL, 33149.**

Please use a ballpoint pen and print clearly to record the following on the Blue Page:

- **Vessel Name and Vessel Number:** U.S. Coast Guard vessel identification number or state registration number as recorded on permit.
- **Contact Telephone Number and Name:** Printed name and telephone number of the person completing the form.
- **Captain Signature and Name:** Signature of the person completing the form (normally, this would be the captain for the trip, although the vessel owner may complete the second portion of the form).
- **Port & State of Departure:** Location of port from which the vessel departed.
- **Port & State of Landing:** Location of port that vessel returned.
- **Dealer Name(s):** List of names of dealers purchasing the harvest.
- **Date of Departure:** Calendar date (month/day/2005) on which the trip was started.
- **Date of First Set:** Calendar date (month/day/2005) of first set made on trip.
- **Date of Last Set:** Calendar date (month/day/2005) of last set made on trip.
- **Date of Landing:** Calendar date (month/day/2005) the vessel arrived back at port. This can be different from the offloading date.
- **First Day Offload:** Calendar date (month/day/2005) that vessel began offloading fish.
- **Number of Sets:** Number of times the fishing gear was set out during the trip.
- **Number of Crew Members:** Number of persons paid as crew (excluding captain).
- **State Trip Ticket #:** For states that require trip tickets, include the ticket # from your sales receipt.

Remove the blue page, attach corresponding set forms and tally sheet, and mail within 7 days after last offloading date.

The following information (found on the Green Page) is mandatory for selected vessels and voluntary for all other vessels.

For selected vessels, the following information must be mailed within 30 days after last offloading date.

- **Fuel:** Price per gallon paid for fuel used during trip. (*If you did not refuel for the trip, record price paid when fuel was last purchased.*); indicate gallons actually **used** during the trip. (*Exclude fuel purchased but not used.*)
- **Bait:** Record price per pound purchased and amount of bait **used** during trip in pounds. If no bait is purchased, then record a zero.
- **Light Sticks:** Record price per light stick and number of light sticks **used** during the trip (*If a light stick was re-used, only count it once.*)
- **Ice:** Indicate the price per unit. Also indicate the **Quantity of Ice** purchased and circle the correct unit size.
- **Ice Maker:** Indicate if an ice maker is used on the vessel by marking 'Yes' or 'No.'
- **Grocery expenses:** Indicate grocery costs (food, toiletries, etc.).
- **Other Trip Costs:** Other costs incurred for this trip **excluding** items listed elsewhere on this trip summary form (for example, docking/offloading fees (if separate from broker fee), crew travel/lodging, fishing supplies).
- **Crew Shares:** Crew share is compensation based upon percentage of net revenues. If you did not use crew share compensation on a trip, then calculate payments as percentage of (*estimated*) gross revenues.
 - **Owner Share:** Percentage of net revenue (*gross revenue less total shared costs*) paid to owner.
 - **Captain Share:** Percentage of net revenue paid to captain.
 - **Crew Average Share:** Average percent share of net revenue paid to crew, excluding captain.
 - **Was Crew Share Compensation Used:** Indicate 'yes' or 'no'.
 - **Was the Owner on Board:** Indicate 'yes' or 'no'.
- **Total Shared Costs:** Record the sum of all costs incurred for this trip that are subtracted from gross revenues prior to calculating crew share payments, **including** (*estimated*) shared gear, repair and maintenance costs. If vessel does not use crew shares, record zero.
- **Broker Used:** Indicate if a broker was used to sell your catch by marking 'Yes' or 'No.'
- **Broker/Selling Expense or Broker/ Percentage:** Report either the (*estimated*) broker/dealer fee or the percentage by gross revenue or weight of fish charged by the broker. (*If catch is sold to multiple brokers/dealers, please report for broker/dealer handling the majority of catch or report the average charged across brokers/dealers.*)
- **Captain License Number and State:** Record license number and issuing state.

PAPERWORK REDUCTION ACT STATEMENT: Atlantic highly migratory species (HMS) vessel logbooks provide information on fishing effort, target catch and bycatch in the fisheries for tunas, sharks and swordfish. This is the basis for quota monitoring and stock assessment and is used to meet international obligations to report fishery statistics to the International Commission for the Conservation of Atlantic Tunas. Collection of economic information through vessel logbooks provides current data on costs and earnings for vessels participating in the Atlantic HMS fisheries and aids NMFS in assessment of impacts of fishery regulations. Public reporting burden for this information collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining data, and reviewing completed collection of information, is estimated to average: 12 minutes per response for set form (daily report); 30 minutes per response for the trip expense and earnings summary; 2 minutes per response for no-fishing report; and 30 minutes per response for annual expenditures form. Send comments regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing this burden to: National Marine Fisheries Service, F/SF1, 1315 East West Highway, Silver Spring MD 20910. Providing requested information on the trip summary form is mandatory, if selected, for managing the Atlantic HMS fisheries in accordance with Atlantic Tunas Convention Act (16 U.S.C. 971 et seq.) and Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.). In accordance with NOAA Administrative Order 216-100, it is agency policy not to release confidential information, other than in aggregate form. Notwithstanding any other provision of law, no person is required to respond, nor shall any person be subject to a penalty for failure to comply with information collection subject to requirements of Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. This is an approved information collection under OMB Control No.: 0648-0371 that expires xx/xx/xxxx.

| | |
|---------------------------|------------|
| NMFS Use Only: Opened: | Schedule # |
|---------------------------|------------|

NO FISHING REPORTING FORM

Vessel ID. NO. Vessel Name: _____

During the entire month of , year this vessel DID NOT FISH in the fisheries checked below:

- > more than one fishery may be checked
- > DO NOT check any fishery if your vessel does not have a permit for it
- > **Use Black Ink**

- Atlantic Highly Migratory Species (swordfish/tunas)
- South Atlantic Snapper-Grouper
- Gulf of Mexico Reef Fish
- Shark
- King Mackerel
- Spanish Mackerel
- Dolphin/Wahoo

Signature _____ Phone _____



KEEP THIS FORM FOR YOUR RECORDS



| | |
|---------------------------|------------|
| NMFS Use Only: Opened: | Schedule # |
|---------------------------|------------|

NO FISHING REPORTING FORM

Vessel ID. NO. Vessel Name: _____

During the entire month of , year this vessel DID NOT FISH in the fisheries checked below:

- > more than one fishery may be checked
- > DO NOT check any fishery if your vessel does not have a permit for it
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- Atlantic Highly Migratory Species (swordfish/tunas)
- South Atlantic Snapper-Grouper
- Gulf of Mexico Reef Fish
- Shark
- King Mackerel
- Spanish Mackerel
- Dolphin/Wahoo

Signature _____ Phone _____



KEEP THIS FORM FOR YOUR RECORDS



2005 Atlantic Highly Migratory Species ANNUAL EXPENDITURES Form

Boat Registration or Vessel Documentation Number:

| | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|

| ANNUAL FISHING EXPENDITURES | | | | | | | | | | |
|---|----|---|--|--|--|--|--|--|--|--|
| Repair & Maintenance Expenses (include gear, engine, electronics, etc.) | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |
| Fishing Supplies | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |
| Drydock / Haulout Expense | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |
| Purchases of Capital (including engine, electronics, hydraulic reel, etc.) | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |
| Insurance: Hull | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |
| P&I | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |
| Boat Dockage/Rent and Utility Expenses | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |
| Commercial Fishing Licenses & Permits | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |
| Vessel Boat Loan Payments | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |
| Relocation Expenses | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |
| OTHER BUSINESS EXPENSES PAID BY VESSEL | | | | | | | | | | |
| Business taxes paid by vessel (include property and income taxes) | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |
| Office Expenses (rent, accounting, legal, phone, etc.) | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |
| Other annual or one-time-only expenditures paid by vessel (include business travel expenses, health insurance, vehicle loan/lease payments, etc.) | \$ | <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | |
| | | | | | | | | | | |

I certify that the information contained on this form is accurate and complete to the best of my knowledge:

Signature of person completing report _____

Printed name of person signing report _____ Phone Number (____) _____

PAPERWORK REDUCTION ACT STATEMENT: Collection of economic information through vessel logbooks provides current data on the costs and earnings for vessels participating in the Atlantic highly migratory species fisheries and aids NMFS in the assessment of impacts of fishery regulations. Public reporting burden for the trip expense and payment annual summary is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completed & reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: National Marine Fisheries Service, F/SF1, 1315 East West Highway, Silver Spring MD 20910. Providing the requested information in the trip summary is mandatory for managing the Atlantic tuna fisheries in accordance with the Atlantic Tunas Convention Act (16 U.S.C. 971 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.). In accordance with NOAA Administrative Order 216-100, it is agency policy not to release confidential information, other than in aggregate form. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. This is an approved information collection under OMB #0648-0371 and expires xx/xx/xxxx.

Instructions for completing the 2005 Atlantic Highly Migratory Species ANNUAL EXPENDITURES Form

NOTE: All data provided are CONFIDENTIAL and will be used to determine the effects of existing and proposed management policies on fishery participants. Consistent and accurate reporting is critical for achieving the benefits of conservation and management of Atlantic Highly Migratory Species fisheries. The trip expense and payment data are not mandatory unless your vessel has been selected and you have been notified in writing by NMFS that this information is required of you. Vessels not selected are encouraged to supply the information on a voluntary basis. If your vessel has been selected, this form must be completed and submitted to NMFS by January 31 of the following year. Please send this form to the following address: NOAA Fisheries/National Marine Fisheries Service, Southeast Fisheries Science Center, Logbook Program, P.O. Box 491740, Key Biscayne, Florida 33149-9915.

Annual Fishing Expenditures

Repair/Maintenance: Record all repair and maintenance expenses paid in 2005. This includes gear repairs or maintenance (e.g., replacement of longline hauler), engine repairs, and electronic repairs but excludes dry dock expenses and trip specific gear maintenance expenses recorded on trip summary forms.

Fishing supplies (hooks, line, gloves, buoys, etc.) purchased for use on more than one fishing trip. Exclude expenses for trip specific fishing supplies recorded on trip summary forms.

Drydock expense: Record all dry dock expenses paid in 2005.

Purchases of Durable Equipment: Record total purchases of equipment (electronics, ice makers, engines, longline reel, etc.) excluding trip specific gear expenses recorded on trip summary forms.

Insurance premiums: Record hull and P&I insurance-related expenditures paid in 2005.

Commercial Fishing Licenses & Permits: Record total cost of all local/state/federal licenses and permits purchased for 2005 operations.

Vessel Boat Loan Payments: Total annual boat loan payments.

Relocation Expenses: Record expenses incurred moving vessel to new ports of operation throughout the year including fuel expenditures, housing costs, moving expenses, etc. Do not include costs already reported on the trip summary form if the relocation occurred as part of a fishing trip.

Other Business Expenses Paid by Vessel

Business Taxes: Record total local/state/federal taxes paid by vessel in 2005, including income, property, etc.

Office Expenses: Record total office expenses paid by vessel in 2005, including (share of) office rent, accounting and legal expenses, telephone, utilities, etc.

Other annual or one-time-only expenditures paid by vessel: Include business travel expenses, health insurance, vehicle loan/lease payments, etc.)

Attachment 1

Magnuson-Stevens Fishery Conservation and Management Act

Public Law 94-265

As amended through October 11, 1996

SEC. 303. CONTENTS OF FISHERY MANAGEMENT PLANS 16 U.S.C. 1853

95-354, 99-659, 101-627, 104-297

(a) **REQUIRED PROVISIONS.**--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, shall--

(1) contain the conservation and management measures, applicable to foreign fishing and fishing by vessels of the United States, which are--

(A) necessary and appropriate for the conservation and management of the fishery to prevent overfishing and rebuild overfished stocks, and to protect, restore, and promote the long-term health and stability of the fishery;

(B) described in this subsection or subsection (b), or both; and

(C) consistent with the national standards, the other provisions of this Act, regulations implementing recommendations by international organizations in which the United States participates (including but not limited to closed areas, quotas, and size limits), and any other applicable law;

(2) contain a description of the fishery, including, but not limited to, the number of vessels involved, the type and quantity of fishing gear used, the species of fish involved and their location, the cost likely to be incurred in management, actual and potential revenues from the fishery, any recreational interest in the fishery, and the nature and extent of foreign fishing and Indian treaty fishing rights, if any;

(3) assess and specify the present and probable future condition of, and the maximum sustainable yield and optimum yield from, the fishery, and include a summary of the information utilized in making such specification;

(4) assess and specify--

(A) the capacity and the extent to which fishing vessels of the United States, on an annual basis, will harvest the optimum yield specified under paragraph (3),

(B) the portion of such optimum yield which, on an annual basis, will not be harvested by fishing vessels of the United States and can be made available for foreign fishing, and

(C) the capacity and extent to which United States fish processors, on an annual basis, will process that portion of such optimum yield that will be harvested by fishing vessels of the United States;

(5) specify the pertinent data which shall be submitted to the Secretary with respect to commercial, recreational, and charter fishing in the fishery, including, but not limited to, information regarding the type and quantity of fishing gear used, catch by species in numbers of fish or weight thereof, areas in which fishing was engaged in, time of fishing, number of hauls, and the estimated processing capacity of, and the actual processing capacity utilized by, United States fish processors;

(6) consider and provide for temporary adjustments, after consultation with the Coast Guard and persons utilizing the fishery, regarding access to the fishery for vessels otherwise prevented from harvesting because of weather or other ocean conditions affecting the safe conduct of the fishery; except that the adjustment shall not adversely affect conservation efforts in other fisheries or discriminate among participants in the affected fishery;

(7) describe and identify essential fish habitat for the fishery based on the guidelines established by the Secretary under section 305(b)(1)(A), minimize to the extent practicable adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat;

(8) in the case of a fishery management plan that, after January 1, 1991, is submitted to the Secretary for review under section 304(a) (including any plan for which an amendment is submitted to the Secretary for such review) or is prepared by the Secretary, assess and specify the nature and extent of scientific data which is needed for effective implementation of the plan;

(9) include a fishery impact statement for the plan or amendment (in the case of a plan or amendment thereto submitted to or prepared by the Secretary after October 1, 1990) which shall assess, specify, and describe the likely effects, if any, of the conservation and management measures on--

(A) participants in the fisheries and fishing communities affected by the plan or amendment; and

(B) participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants;

(10) specify objective and measurable criteria for identifying when the fishery to which the plan applies is overfished (with an analysis of how the criteria were determined and the relationship of the criteria to the reproductive potential of stocks of fish in that fishery) and, in the case of a fishery which the Council or the Secretary has determined is approaching an overfished condition or is overfished, contain conservation and management measures to prevent overfishing or end overfishing and rebuild the fishery;

(11) establish a standardized reporting methodology to assess the amount and type of

bycatch occurring in the fishery, and include conservation and management measures that, to the extent practicable and in the following priority--

(A) minimize bycatch; and

(B) minimize the mortality of bycatch which cannot be avoided;

(12) assess the type and amount of fish caught and released alive during recreational fishing under catch and release fishery management programs and the mortality of such fish, and include conservation and management measures that, to the extent practicable, minimize mortality and ensure the extended survival of such fish;

(13) include a description of the commercial, recreational, and charter fishing sectors which participate in the fishery and, to the extent practicable, quantify trends in landings of the managed fishery resource by the commercial, recreational, and charter fishing sectors; and

(14) to the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery.

97-453, 99-659, 101-627, 102-251, 104-297

(b) DISCRETIONARY PROVISIONS.--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, may--

(1) require a permit to be obtained from, and fees to be paid to, the Secretary, with respect to--

(A) any fishing vessel of the United States fishing, or wishing to fish, in the exclusive economic zone [or special areas,]* or for anadromous species or Continental Shelf fishery resources beyond such zone [or areas]*;

(B) the operator of any such vessel; or

(C) any United States fish processor who first receives fish that are subject to the plan;

(2) designate zones where, and periods when, fishing shall be limited, or shall not be permitted, or shall be permitted only by specified types of fishing vessels or with specified types and quantities of fishing gear;

(3) establish specified limitations which are necessary and appropriate for the conservation and management of the fishery on the--

(A) catch of fish (based on area, species, size, number, weight, sex, bycatch, total biomass, or other factors);

(B) sale of fish caught during commercial, recreational, or charter fishing, consistent with any applicable Federal and State safety and quality requirements; and

(C) transshipment or transportation of fish or fish products under permits issued pursuant to section 204;

(4) prohibit, limit, condition, or require the use of specified types and quantities of fishing gear, fishing vessels, or equipment for such vessels, including devices which may be required to facilitate enforcement of the provisions of this Act;

(5) incorporate (consistent with the national standards, the other provisions of this Act, and any other applicable law) the relevant fishery conservation and management measures of the coastal States nearest to the fishery;

(6) establish a limited access system for the fishery in order to achieve optimum yield if, in developing such system, the Council and the Secretary take into account--

(A) present participation in the fishery,

(B) historical fishing practices in, and dependence on, the fishery,

(C) the economics of the fishery,

(D) the capability of fishing vessels used in the fishery to engage in other fisheries,

(E) the cultural and social framework relevant to the fishery and any affected fishing communities, and

(F) any other relevant considerations;

(7) require fish processors who first receive fish that are subject to the plan to submit data (other than economic data) which are necessary for the conservation and management of the fishery;

(8) require that one or more observers be carried on board a vessel of the United States engaged in fishing for species that are subject to the plan, for the purpose of collecting data necessary for the conservation and management of the fishery; except that such a vessel shall not be required to carry an observer on board if the facilities of the vessel for the quartering of an observer, or for carrying out observer functions, are so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized;

(9) assess and specify the effect which the conservation and management measures of the plan will have on the stocks of naturally spawning anadromous fish in the region;

(10) include, consistent with the other provisions of this Act, conservation and management measures that provide harvest incentives for participants within each gear group to employ fishing practices that result in lower levels of bycatch or in lower levels of the mortality of bycatch;

(11) reserve a portion of the allowable biological catch of the fishery for use in scientific research; and

(12) prescribe such other measures, requirements, or conditions and restrictions as are determined to be necessary and appropriate for the conservation and management of the fishery.

97-453, 104-297

(c) PROPOSED REGULATIONS.--Proposed regulations which the Council deems necessary or appropriate for the purposes of--

(1) implementing a fishery management plan or plan amendment shall be submitted to the Secretary simultaneously with the plan or amendment under section 304; and

(2) making modifications to regulations implementing a fishery management plan or plan amendment may be submitted to the Secretary at any time after the plan or amendment is approved under section 304.

Attachment 2

DATES: Written comments must be submitted on or before April 8, 2005.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Helen Bass at (301)713-3155, ext. 175 (or via Internet at helen.bass@noaa.gov).

SUPPLEMENTARY INFORMATION:

I. Abstract

NOAA's regulations at 15 CFR 970 govern the issuing and monitoring of exploration licenses under the Deep Seabed Hard Mineral Resources Act. Persons seeking a license must submit certain information that allows NOAA to ensure the applicant meets the standards of the Act. Persons with licenses are required to conduct monitoring and reports, and they may request revisions to or transfers of licenses.

II. Method of Collection

Paper submissions are used, however applicants are encouraged to submit supporting documentation electronically when feasible.

III. Data

OMB Number: 0648-0145.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 2.

Estimated Time Per Response: 2,000-4,000 hours per application (no applications are expected) and 20 hours per report.

Estimated Total Annual Burden Hours: 40.

Estimated Total Annual Cost to Public: \$150.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information

on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: January 28, 2005.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 05-2290 Filed 2-4-05; 8:45 am]

BILLING CODE 3510-08-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 020205B]

Proposed Information Collection; Comment Request; Highly Migratory Species Vessel Logbooks and Cost-Earnings Data Reports

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a proposed and continuing information collection, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before April 8, 2005.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue NW, Washington DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Joseph Desfosse, Highly Migratory Species Management Division (F/SF1), Office of Sustainable Fisheries, NMFS, 1315 East-West Highway, Silver Spring, MD 20910 (phone 301-713-2347).

SUPPLEMENTARY INFORMATION:

I. Abstract

Under the provisions of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), the National

Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) is responsible for management of the Nation's marine fisheries. In addition, NMFS must comply with the United States' obligations under the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 et seq.). NMFS collects information via vessel logbooks to monitor the U.S. catch of Atlantic swordfish, sharks, marlins, and tunas in relation to the quotas, thereby ensuring that the United States complies with its domestic and international obligations. The information supplied through vessel logbooks also provides the catch and effort data necessary to assess the status of highly migratory species and to evaluate bycatch in each fishery. International stock assessments for tunas, swordfish, marlins, and some species of sharks are conducted and presented to the International Commission for the Conservation of Atlantic Tunas (ICCAT) periodically and provide, in part, the basis for ICCAT management recommendations which become binding on member nations. Domestic stock assessments for most species of sharks are used as the basis of managing these species.

Supplementary information on fishing costs and earnings has been collected via this vessel logbook program. This economic information enables NMFS to assess the economic impacts of regulatory programs on small businesses and fishing communities, consistent with NEPA, Executive Order 12866, the Regulatory Flexibility Act, and other domestic law.

II. Method of Collection

Currently, log books are being completed and submitted in paper form.

III. Data

OMB Number: 0648-0371.

Form Number: NOAA Form 88-191.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations (vessel owners).

Estimated Number of Respondents: 7,635.

Estimated Time Per Response: 10 minutes for cost/earnings summaries attached to logbook reports; 12 minutes for logbook catch reports; and 2 minutes for negative logbook catch reports.

Estimated Total Annual Burden Hours: 30,378.

Estimated Total Annual Cost to Public: \$0 (no capital expenditures required).

IV. Request for Comments

Comments are invited on: (a) whether the proposed collection of information

is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: January 28, 2005.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 020205C]

Proposed Information Collection; Comment Request; Atlantic Highly Migratory Species Vessel and Gear Marking

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collection, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before April 8, 2005.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue NW, Washington DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Michael Clark, Highly Migratory Species Management Division

(F/SF1), Office of Sustainable Fisheries, NMFS, 1315 East-West Highway, Silver Spring, MD 20910 (phone 301-713-2347).

SUPPLEMENTARY INFORMATION:

I. Abstract

Under current regulations at 50 CFR part 635.6, fishing vessels permitted for Atlantic Highly Migratory Species (HMS) must display their official vessel numbers on their vessels. Flotation devices attached to certain fishing gear must also be marked with the vessel's number to identify catch that is buoyed. These requirements are necessary for law enforcement and monitoring purposes. Specifically, all vessels owners that hold a valid HMS permit, other than an HMS angling permit, are required to mark their vessels with their vessel identification number. The numbers should be permanently affixed to, or painted on the port and starboard sides of the deckhouse or hull and on an appropriate weather deck, so as to be clearly visible from an enforcement vessel or aircraft. Furthermore, fishermen that use longline gear must mark high-flyers and terminal buoys with their vessel identification number. Gillnet fishermen must also mark their terminal buoys, and handgear or harpoon fishermen must mark all buoys attached to their gear with their vessel identification number.

II. Method of Collection

There is no form or information collected under this requirement. Official vessel numbers issued to vessel operators are marked on the vessel and on flotation gear, if applicable.

III. Data

OMB Number: 0648-0373.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations (vessel owners); and individuals or households.

Estimated Number of Respondents: 8,700 vessels for vessel identification marking; and 24,064 permit holders for gear marking.

Estimated Time Per Response: 45 minutes/year to mark a vessel; and 15 minutes/year to mark a float.

Estimated Total Annual Burden Hours: 6,525 hours for vessel identification marking; and 6,877 hours for gear marking.

Estimated Total Annual Cost to Public: \$304,500.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance

of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: January 28, 2005.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 020205D]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits (EFPs)

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Notification of a proposal for EFPs to conduct experimental fishing; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator) has made a preliminary determination that the subject EFP application contains all the required information and warrants further consideration. The Assistant Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Northeast (NE) Multispecies Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue the EFP. Therefore, NMFS announces that the Assistant Regional Administrator proposes to recommend that an EFP be issued that would allow one vessel to conduct fishing operations that are otherwise restricted by the regulations