

# NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 09/15/2016

Department of Commerce  
National Oceanic and Atmospheric Administration

FOR CERTIFYING OFFICIAL: Jennifer Jessup  
FOR CLEARANCE OFFICER: Jennifer Jessup

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 09/14/2016

ACTION REQUESTED: No material or nonsubstantive change to a currently approved collection

TYPE OF REVIEW REQUESTED: Regular

ICR REFERENCE NUMBER: 201609-0648-006

AGENCY ICR TRACKING NUMBER:

TITLE: Expanded Vessel Monitoring System Requirement in the Pacific Coast Groundfish Fishery

LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change

OMB CONTROL NUMBER: 0648-0573

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 04/30/2017

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	11,250	771	1,933,250
New	11,250	771	1,933,250
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	0	0	0
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE: Terms of the previous clearance remain in effect.

OMB Authorizing Official: Dominic J. Mancini  
Acting Deputy Administrator,  
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
VMS activation checklist, and purchase, maintenance and position transmission costs	NA	VMS Installation and Activation Report	
VMS Exemption Reports			50 CFR 660.14
VMS Declaration Reports			

**JUSTIFICATION OF CHANGE  
EXPANDED VESSEL MONITORING SYSTEM REQUIREMENT  
FOR THE PACIFIC GROUND FISH FISHERY  
OMB CONTROL NO. 0648-0573**

The Magnuson Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) established regional fishery management councils, including the Pacific Fishery Management Council (Council), to develop fishery management plans for fisheries in the United States (U.S.) exclusive economic zone (EEZ). The fishery management plans are intended to regulate fishing to ensure long-term productivity and achievement of optimum yield from the resources for the benefit of the nation. These plans are implemented by Federal regulations which are enforced by the National Marine Fisheries Service (NMFS) and the U.S. Coast Guard (USCG), in cooperation with State agencies. The Pacific Coast Groundfish Fishery Management Plan (FMP) was approved by the U.S. Secretary of Commerce (Secretary) on January 4, 1982, and implemented on October 5, 1982.

Under the FMP, a Vessel Monitoring Program was implemented in 2004. Since 2004, all commercial fishing vessels that take and retain groundfish in federal waters, or transit through federal waters with groundfish on board, are required to have a working vessel monitoring system (VMS). The VMS, along with a system of fishing declaration reporting requirements, allows for monitoring and enforcement of areas closed to fishing. With this 2004 program, NMFS type-approved hardware and software, or “units,” were installed on vessels in order to meet these new program requirements for the groundfish fishery. When a VMS unit is installed on a vessel, it is registered with NMFS Office of Law Enforcement (OLE) and catalogued.

As of its June 2013 meeting, and based on advice from the Enforcement Committee, the Council recommended that a declaration report be required for all vessels registered to a VMS unit, as there had been a number of VMS units that had registered with OLE but never made a fishing declaration, which is currently required in regulation. The final rule for this action includes regulation changes at § 660.13(d) that require all vessels registered to a VMS unit to submit a declaration report, regardless of activities. Obtaining a declaration report from these vessels will give OLE the information necessary to monitor the activities of these vessels relative to the applicable regulations. In addition, the final rule also revises fisher declarations at § 660.13(d)(5)(iv)(A)(24) to include “other”. This change will encompass a vessel’s on the water activities that may not be fishing (e.g., scientific research activities). NMFS anticipates vessels may make a declaration of “other” if they are not fishing.

Declaration reports are submitted to the NMFS OLE by telephone and are valid until revised by the vessel operator. Vessel operators making declaration reports receive a confirmation number that verifies that the reporting requirements were satisfied. After a vessel has made a declaration report to NMFS and has been confirmed, the vessel cannot change activities, including fishing with any gear

other than the gear type that has been declared for the vessel, until a new declaration is submitted to revise the old declaration.

NMFS also proposes that OLE will default a vessel's declaration to "other" if they are unable to contact the vessel operator with whom the VMS unit is associated. As required by current regulations, the vessel operator must update the declaration when they meet the requirements to do so.

These changes are related to the pending final rule titled, Fisheries off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Commercial Sablefish Fishing Regulations and Electronic Fish Tickets, RIN 0648-BE42. There were no public comments in the proposed rule, on these information collection requirements.

The revised declaration requirement is not expected to make significant changes in burden or cost.

## PAPERWORK REDUCTION ACT CHANGE WORKSHEET

Agency/Subagency	OMB Control Number  _____ - _____	
<i>Enter only items that change</i>		
	Current record	New record
Agency form number (s)		
Annual reporting and recordkeeping hour burden		
Number of respondents		
Total annual responses		
Percent of these responses collected electronically	%	%
Total annual hours		
Difference		
Explanation of difference		
Program change		
Adjustment		
Annual reporting and recordkeeping cost burden (in thousands of dollars)		
Total annualized Capital/Startup costs		
Total annual costs (O&M)		
Total annualized cost requested		
Difference		
Explanation of difference		
Program change		
Adjustment		
Other changes**		
Signature of Senior Official or designee:	Date:	For OIRA Use  _____ _____

\*\* This form cannot be used to extend an expiration date.

### Declaration Report Worksheet

This worksheet is for your own use and is intended to help you organize information that will be submitted in a declaration report.  
Please do not submit this worksheet to NMFS.

- 1) Dial 1-888-585-5518 to connect to the West Coast Groundfish Declaration Line.
- 2) You will be connected to a live operator during normal business hours (8:00 am to 4:30 pm Monday through Friday) to file a declaration or be asked to leave a voice mail declaration after hours, on weekends or holidays.
- 3) Provide your vessel identification number to the operator or voicemail.

Vessel Number						

- 4) Provide your 5 digit vessel pass code to the operator or voicemail.

Vessel Pass code				

- 5) Provide the two digit code from the list below, to the operator or voicemail.

Code		

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>10 - Limited entry fixed gear, not including shorebased IFQ</li> <li>11 - Limited entry groundfish non-trawl, shorebased IFQ</li> <li>20 - Limited entry midwater trawl gear, non-whiting shorebased IFQ,</li> <li>21 - Limited entry midwater trawl, Pacific whiting shorebased IFQ</li> <li>22 - Limited entry midwater trawl, Pacific whiting catcher/processor sector</li> <li>23 - Limited entry midwater trawl, Pacific whiting mothership sector (catcher vessel or mothership)</li> <li>30 - Limited entry bottom trawl, shorebased IFQ, not including demersal trawl</li> <li>31 - Limited entry demersal trawl, shorebased IFQ</li> <li>33 - Open access longline gear for groundfish</li> <li>34 - Open access groundfish trap or pot gear</li> <li>35 - Open access line gear for groundfish</li> </ul> | <ul style="list-style-type: none"> <li>40 - Non-groundfish trawl gear for ridgeback prawn</li> <li>41 - Non-groundfish trawl gear for pink shrimp</li> <li>42 - Non-groundfish trawl gear for CA halibut</li> <li>43 - Non-groundfish trawl gear for sea cucumber</li> <li>50 - Tribal trawl gear</li> <li>60 - Open access prawn trap or pot gear,</li> <li>61 - Open access Dungeness crab trap or pot gear,</li> <li>62 - Open access Pacific Halibut longline gear</li> <li>63 - Open access salmon troll gear</li> <li>64 - Open access California halibut line gear</li> <li>65 - Open access sheephead trap or pot gear</li> <li>66 - Open access Highly Migratory Species line gear</li> <li>67 - Open access Coastal Pelagic Species net gear</li> <li>68 - Open access California gillnet complex gear</li> <li>69 - A gear that is not listed above</li> <li>70 - Other</li> </ul> |
|--|---|

6) For your records, record the confirmation number provided by the operator. Re-enter the confirmation number in the area provided below.

Confirmation Number						

7) Ask the operator to review the information in your declaration. Once you confirm that your declaration report is correct you may disconnect from the West Coast Groundfish Declaration Line.

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Public reporting burden for this collection of information is estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other suggestions for reducing this burden to Becky Renko, National Marine Fisheries Service/Northwest Region, at [Becky.Renko@noaa.gov](mailto:Becky.Renko@noaa.gov).

This information is confidential under Section 402 of the Magnuson-Stevens Fishery Conservation and Management Act. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected 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.