

# NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 09/20/2006

Department of Commerce  
National Oceanic and Atmospheric Administration  
FOR CERTIFYING OFFICIAL: Barry West  
FOR CLEARANCE OFFICER: Diana Hynek

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 06/30/2006

ACTION REQUESTED: Revision of a currently approved collection  
TYPE OF REVIEW REQUESTED: Regular  
ICR REFERENCE NUMBER: 200606-0648-007  
TITLE: Socioeconomic Monitoring Program for the Florida Keys National Marine Sanctuary  
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved with change  
OMB CONTROL NUMBER: 0648-0409

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: 09/30/2009

DISCONTINUE DATE:

| BURDEN:                                      | RESPONSES | HOURS | COSTS |
|--|-----------|-------|-------|
| Previous                                     | 70        | 420   | 0     |
| New  | 107       | 790   | 0     |
| Difference                                   |           |       |       |
| Change due to New Statute                    | 0         | 0     | 0     |
| Change due to Agency Discretion              | 37        | 0     | 0     |
| Change due to Agency Adjustment              | 0         | 370   | 0     |
| Change Due to Potential Violation of the PRA | 0         | 0     | 0     |

TERMS OF CLEARANCE: This collection is approved with changes to conform the race and ethnicity questions to OMB's 1997 Standards for the Classification of Federal Data on Race and Ethnicity.

OMB Authorizing Official:

John F. Morrall III  
Acting Deputy Administrator,  
Office Of Information And Regulatory Affairs

List of ICs

| IC Title  | Form No. | Form Name | CFR Citation |
|---|----------|-----------|--------------|
| Socioeconomic Monitoring Program for the Florida Keys National Marine Sanctuary |          |           |              |

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

**Socioeconomic Research and Monitoring Program in Florida Keys National Marine  
Sanctuary: Commercial fishing Panels and Dive Shop Logbooks**

**OMB CONTROL No. 0648-0409**

**U.S. Department of Commerce  
National Ocean and Atmospheric Administration  
National Ocean Service  
Management and Budget Office  
Special Projects  
1305 East West Highway, SSMC4, 9<sup>th</sup> floor  
Silver Spring, MD 20910**

**Contact: Dr. Vernon R. (Bob) Leeworthy  
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Bob.Leeworthy@noaa.gov**

**May 25, 2006**

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## A. JUSTIFICATION

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

The National Marine Sanctuaries Act (16 USC 1431, et seq.) authorizes the use of monitoring within National Marine Sanctuaries (NMS). The Florida Keys National Marine Sanctuary and Protection Act (Public Law 101-605, Sec 7 (5)) also authorizes monitoring. The Management Plan for the Florida Keys National Marine Sanctuary (FKNMS) established 18 Sanctuary Preservation Areas (SPAs) and one Ecological Reserve (ER) that are “no take” zones. In a separate two-year process (Tortugas 2000) a second ER was designed and approved Tortugas Ecological Reserve. All consumptive or take activities were displaced from these zones. These special zones were also created to resolve user conflicts. In creating these special zones, socioeconomic impact analyses were done as required under the National Environmental Policy Act (NEPA). In addition, a Regulatory Impact Review and an Initial and Final Regulatory Flexibility Analysis (if small businesses are potentially impacted by the no take regulations) were conducted. However, many of the benefits and costs identified in these analyses are speculative in nature and there is therefore a great deal of uncertainty about both the benefits and costs. In response to public concerns about the socioeconomic impacts of many of the elements of the FKNMS management plan and especially the “no take” zones (e.g., SPAs and ERs), a socioeconomic element was included in the ecological monitoring program. Dr. Vernon R. (Bob) Leeworthy, Leader of the Coastal and Ocean Resource Economics Program, NOAA, National Ocean Service, Management and Budget Office, Special Projects Division leads the Socioeconomic Research and Monitoring Program for the FKNMS.

In 1998, 50 stakeholders and social scientists met for a three-day workshop and established a set of recommendations for what should be measured in the Socioeconomic Research and Monitoring Program and how frequently the measures should be taken. A team of social scientists reviewed the literature and a gap analysis was performed. What was currently known and an assessment of the gaps in knowledge were presented to all the workshop participants two weeks before the workshop. A total of 108 recommendations were made, with workshop participants preferring that FKNMS management establish priorities. Two top priorities are to: 1) monitor the financial performance of the commercial fishing operations that were displaced from the “no take” zones to test the hypotheses that there are short term losses and/or long term gains to commercial fishermen because of the zones and 2) monitor the use, perceptions of users as to quality of the SPAs and ERs, and changes in market and economic values associated with SPA and ER uses, to test the hypotheses that user conflicts were resolved and/or that there would be both short term and long term gains to non consumptive users and net gains to the local economy.

In recent FKNMS management plan revisions, there is now a moratorium on the addition of new artificial reefs. A recent analysis (Leeworthy et al, 2005) showed that introducing an artificial reef into the natural reef environment of the FKNMS reduced usage on the surrounding natural reefs, while increasing use on the surrounding artificial reefs, with a net increase in total reef use, dive business, and a net increase in economic impact in the local economy. However, uncertainties exist as to whether the results are simply a short-term effect. Longer-term monitoring is required to answer these uncertainties. Logbooks of Dive Shop operations are a

cost effective way to monitor both artificial and natural reef use. The U.S.S. Vandenberg has been approved to be sunk as an artificial reef (pre-moratorium approval). Pre-sinking data collection was completed under this approval. Post-sinking data collection will be done under extension of this approval.

**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.**

Two data collection efforts are proposed here for extension that will provide some of the necessary information to accomplish the above tasks; 1) Commercial Fishing Panels and 2) Dive Shop Logs.

***1) Commercial Fishing Panels***

**How**

There are four commercial fishing panels; 1) Commercial fishermen that were displaced from the Sambos Ecological Reserve, 2) Commercial fishermen that fished in the Tortugas Ecological Reserve prior to establishment, 3) General commercial fishermen in Monroe County that had not fished in any of the no take zones before their creation, and 4) Marine Life Collectors. Marine Life Collectors are those collecting for the aquarium business. Panel size is expected to be between 5 and 10 fishing operations per panel. Selection is based on review of Florida Fish and Wildlife Research Institute (FWRI) fish tickets, which record the catch, and location of catch for each fisherman. For the three panels that address displaced fishing due to the zones, FWRI records are used to confirm the amount of dependence on the special zones before displacement on July 1997 (i.e., when the no take regulations took effect in the Sambos ER and the SPAs). Panel members are recruited and must sign an affidavit that allows a researcher (under contract to NOAA) to gain access to the fishing operations fish ticket data. Panel participation is voluntary.

Data collection is done face-to-face and the panel member is not asked to fill-out any forms. Instead, the data collector may mail the commercial fisherman a list of the types of information that is being sought and arranges for an interview time and place. For each operation, information on catch, effort, revenues, operating and capital costs, and investment (replacement costs of boats and fishing equipment) is obtained on an annual basis. This information will allow for a financial performance analysis.

Socioeconomic Profile. This form consists of 12 questions. The socioeconomic profile questions provide information to compare panel members with the general commercial fishing population. Researchers at the University of Florida and the University of Miami interviewed the general commercial fishing population of Monroe County/Florida Keys in 1995 and in 1998 (before and after the management plan for the FKNMS went into effect) using the questionnaire that will be used here. Updates were also completed in 2000. We adopted the questionnaire designed and implemented by previous researchers to maintain the ability for comparisons.

Question 1 asks for the age of the fisherman and Question 2s and 2a ask for race and ethnicity. Question 3 asks for the number of family members supported by the fisherman.

Question 4 asks about memberships in any groups. Chambers of Commerce, Environmental groups, the Monroe County Commercial Fishermen, Inc. and the Organized Fishermen of Florida (OFA) are the main groups that fishermen belong to in Monroe County.

Question 5 asks if the fisherman belongs to a fish house. Many fishermen are directly employed by fish houses and others simply sell their catch to a fish house without a formal agreement requiring them to land the fish with the fish house. This item adds information about where the fish are landed and what distributors/wholesale processors might be impacted.

Question 6 asks for the fisherman's primary hauling port/dock. This provides the connection from where the catch is obtained to where it is landed (i.e., where it has economic consequences).

Question 7 asks for the fisherman's years of experience fishing in Monroe County. This information is important for assessing the fisherman's ability to adapt to changes (here their ability to change and their expected success in moving to other fishing grounds).

Question 8 asks for the replacement value of the gear and vessels owned. This information is used in assessing whether there are economic rents earned in the fishery. Economic rents are appropriate to include in benefit-cost analyses. This information is also important for assessing financial performance.

Question 9 asks for items of cost that are not trip specific. The costs are annual expenses and include such items as maintenance and repair on vessels, traps and other gear, docking fees and fish house fees. Again, this information is critical for financial performance analysis.

Questions 10, 11 and 12 address the economic dependency of the fisherman on commercial fishing. Question 10 asks the percentage of the fisherman's income that is derived from commercial fishing. Question 11 asks for what the fisherman considers to be the best description of his or her occupation. The key distinction is whether they are part time or full time in the commercial fishery. Some charter boat operations derive a portion of their income from the commercial fisheries because they sell some of their catch. Some fishermen that are normally considered recreational fishermen may on occasion sell their catch. In Florida, a person may obtain a permit that allows them to sell their catch for as little as \$25. Thus some recreational fishermen may be commercial fishermen for some portion of their catch. Question 12 asks for the percentage of their income derived from fishing in Monroe County.

Catch and Effort by Large Spatial Zones. This is not a questionnaire but is a framework for obtaining information. The data collector sits down with the fisherman and with the use of maps showing the large spatial zones and the fisherman's catch records provides their total catch (in pounds) for each species or species group and the percentage of the catch in each large spatial area. The percents across large spatial areas must sum to 100 percent for each species or species group. Seven zones have been established for the Florida Keys by previous researchers and we will continue to use these zones to maintain comparability. The information gathered here is

important for establishing the fisherman's knowledge of alternative fishing sites and is important input into assessing fishermen's ability to relocate to other fishing grounds due to displacement from the "no take areas". Proponents of the "no take areas" have argued that commercial fishermen could simply replace their lost catch from other areas. Opponents counter that crowding effects will occur and not only will those displaced not be able to replace lost catch from other areas, but also that there will be additional losses as those displaced compete with fishermen for limited available catches in the other areas. Monitoring the distribution of catch over time will aid in testing these hypotheses.

Marine Life Collectors generally report their catch by numbers of different species rather than pounds. We use the species group classifications used by FWRI in their trip ticket information system.

**Trip Costs by Species or Species Group.** As with Question 8 and 9 in the Socioeconomic Profile, this information obtains costs. Here the variable or trip costs are obtained for a typical trip for each species or species group. Trip cost items include fuel and oil, ice, bait, food & supplies, spotter plane, other, and labor or crew shares. These questions obtain the information critical to the financial performance analysis.

### **By Whom**

Thomas J. Murray of Thomas J. Murray and Associates is the lead contractor with a sub-contract to the University of Miami, Rosenstiel School of Atmospheric and Marine Sciences (RSMAS). Manoj Shivilani of RSMAS is the main data collector.

NOAA economist Dr. Vernon R. Leeworthy is the Contract Officer's Technical Representative (COTR) and also is the leader of the Socioeconomic Research and Monitoring Program for the FKNMS. Dr. Leeworthy reviews all data and reports developed by the contractors. In addition, NOAA staff economist, Peter C. Wiley also reviews all project reports and converts all reports to portable document format (pdf) and posts on the NOAA Web site (<http://marineeconomics.noaa.gov>).

### **How Frequently**

Data is collected annually. Reports with simple summaries of the data are also produced annually. Analyses are done periodically, but extensive analysis is planned for the full ten years of data.

### **Purpose**

The main purpose of the commercial fishing panels is to test whether FKNMS regulations and management strategies cause financial harm to commercial fishermen in the short-term and/or if in the long-term there is financial gain or loss to commercial fishermen.

## **How Collection Complies with NOAA Information Quality Guidelines**

**Utility:** Demonstrate whether FKNMS regulations and management strategies, especially “no take zones” (SPAs and ERs), are harming or benefiting financial performance of commercial fishermen. Information gives commercial fishermen representation in the adaptive management process. If significant negative impacts are found, then management must take some action, i.e., change regulations or other management strategies and/or establish compensation or assistance programs.

**Integrity:** Procedures have been established to protect the proprietary information provided by members of the commercial fishing panels. All business identification information is removed from all databases to be sent to NOAA or distributed to the public. Each business is assigned a database identification number in the database so each business can be tracked through time without revealing the identity of the business. The contractor maintains the codebook containing the database identification numbers with corresponding business identification. The contractor is not allowed to release the codebook to anyone. Release of proprietary business information is further protected by the Freedom of Information Act (5 USC 522 (b) (4)) concerning trade secrets or proprietary information, such as commercial business and financial records.

All project reports are converted to Read-Only in portable document format (pdf) before being placed on the NOAA Web site for public dissemination.

**Objectivity:** The contractor and sub-contractor were originally selected with the approval of both the commercial fishermen and NOAA. This ensures that the information is collected and reported in an unbiased manner. In addition, self-reporting by panel members is not allowed. Each panel member must sign an affidavit giving the contractor access to the State of Florida’s ‘trip ticket’ information. The trip ticket information includes pounds of catch and value of catch (revenue received by fisherman) by year, species, location of catch and location where landed. Each panel member’s accounting books are used to obtain costs and profits. These procedures ensure accurate, reliable and unbiased results.

All reports are reviewed by the contractor and sub-contractor and by two NOAA economists before release to the public. Reports initially developed by the contractor/sub-contractor are reviewed by two NOAA economists and vice versa. This report review procedure ensures all information is accurate, reliable, unbiased, complete and clear. None of the reports developed by contractor/sub-contractor or NOAA economists’ express NOAA policy or management views. Instead, only objective analyses are produced that can be used by all parties (including NOAA policy and management staff) in the policy/management process. All reports that include analyses of data are peer reviewed.

## **2) Dive Shop Logs**

### **How**

In 2001 and 2002, all the dive shops in the Key Largo and Key West areas of the FKNMS were asked to provide their dive logs for use of all areas. Contractors, Marine Habitats, Inc. for Key Largo area and Artificial Reefs of the Keys, Inc. for Key West area, have been collecting the

monthly logs and entering them into databases. Most dive operations preferred copying (using copying machine) their logs on a monthly basis and mailing or handing to the contractor on the contractor's monthly visits to the Dive Shops. None wanted to e-mail their logs on a monthly basis. Contractors have been visiting the remaining Dive Shops and coping logbook information onto our Dive Log Questionnaires. We accommodated all methods of response. Logs included information on location of each dive, number of passengers who dove the location, how many were snorkelers and how many were scuba divers, the date and time of arrival and departure from each dive site, and whether they used a mooring buoy, anchored or drifted. The contractors have also asked to review dive shop past logbooks to develop historical use patterns. The dive shops already collect the information that we have been requesting and the burden has been minimal.

If funding is obtained for FY07, monthly log data collection will resume for long-term monitoring of the effects of the institution of the "no take" zones. The dive logs will be combined with on-water observation data also collected by the contractors. Seventy-two days of on-water observation were obtained for the surrounding natural and artificial reefs for the sites where the Spiegel Grove was sunk (off Key Largo) and the planned sinking site for the U.S.S. Vandenberg. On-water observation data was stratified by season (summer and winter) and by type of day (weekday, weekend and holiday). By combining Dive Shop Logbook data with on-water observation data, a methodology has been developed to estimate total use (Dive Shop use plus non-Dive Shop use) of the surrounding natural and artificial reefs (see Leeworthy et al, 2005). This information will then be used to test the hypothesis of whether introducing an artificial reef into a natural reef environment will reduce usage on the surrounding natural reefs. We hope to also explore whether this methodology could be used to develop estimates of use for individual SPAs and ERs.

### **By Whom**

For the Key Largo area, Tom Maher of Marine Habitats, Inc, has collected the data. For the Key West area, data has been collected by Artificial Reefs of the Keys, Inc. (Joe Weatherby). Artificial Reefs of the Keys, Inc. has hired Resource Control Corporation to collect the data (Chris Norwood, Project Manager). NOAA economist, Dr. Vernon R. Leeworthy, will analyze the data and develop methods of estimation and will be responsible for developing all reports. Dr. Robert Smith of the Florida Keys Community College will provide peer review for all analyses, estimation methods and reports. Peter Wiley, NOAA staff economist, will provide additional review of data analyses, methods of estimation and reports, and will post all reports on the NOAA Web site.

### **How Frequently**

Monthly collection of Dive Shop logbook data will resume. For application to assessing the sinking of new artificial reefs in the FKNMS, one year of data is obtained pre-sinking and one year of data is obtained post-sinking. For the U.S.S. Spiegel Grove, the original data collection, both pre-sinking and post-sinking was completed. Additional efforts are proposed to monitor efforts to test if the results obtained represent a short-term effect. For the U.S.S. Vandenberg, the pre-sinking data is nearly complete under the current approval, but approval of the extension will be required to complete the pre-sinking data collection and initiate and complete the post-

sinking data collection. For application to SPA and ER use estimation, monthly collection will be required. This latter application is contingent on development of the use estimation method.

## **Purpose**

The purpose of the application to assessing the sinking of new artificial reefs in the FKNMS is to test the hypothesis of whether sinking a new artificial reef in a natural reef environment reduces usage on the surrounding natural reefs. For application to the SPAs and ERs, the purpose is to monitor use of the SPAs and ERs to establish the benefits of these special zones.

## **How Collection Complies with NOAA Information Quality Guidelines**

**Utility:** The sponsors of sinking new artificial reefs in the FKNMS (e.g., Dive Shops, Monroe County Tourist Development Council and local Chambers of Commerce) maintain that introducing new artificial reefs into the FKNMS will reduce usage on surrounding reefs, while promoting a sustainable economy in Monroe County, Florida. The FKNMS has responsibility for protecting the natural environment and has permit authority (along with State and Local governments) over the new artificial reefs. The FKNMS is requiring, as part of the permit for new artificial reefs, that monitoring of use and ecological conditions of natural reefs sites surrounding the sinking sites for new artificial reefs. The data collection here supports the use-monitoring portion of the requirement. NOAA is aiding the local community with the socioeconomic portion of the monitoring. Results of the analyses of the data will determine if any new artificial reefs will be approved for sinking within the FKNMS.

For SPAs and ERs, monitoring use will support assessments of the benefits of “no take zones” and whether the use of these zones should be increased or decreased.

**Integrity:** Procedures have been established to protect the proprietary information provided by members of the commercial fishing panels. All business identification information is removed from all databases to be sent to NOAA or distributed to the public. Each business is assigned a database identification number in the database so each business can be tracked through time without revealing the identity of the business. The contractor maintains the codebook containing the database identification numbers with corresponding business identification. The contractor is not allowed to release the codebook to anyone. Release of proprietary business information is further protected by the Freedom of Information Act (5 USC 522 (b) (4)) concerning trade secrets or proprietary information, such as commercial business and financial records.

All project reports are converted to Read-Only in portable document format (pdf) before being placed on the NOAA Web site for public dissemination.

**Objectivity:** The contractors were originally selected with the approval of both the Dive industry and NOAA. This ensures that the information is collected and reported in an unbiased manner. Copies of actual dive logbooks are either sent to the contractor, picked-up by the contractor or the contractor sits down in the dive shop and records dive logbook data onto the Dive Shop logbook data sheet. These procedures ensure accurate, reliable and unbiased results.

The contractor and sub-contractor, two NOAA economists and Dr. Robert Smith of the Florida Keys Community College review all reports before release to the public. This report review

procedure ensures all information is accurate, reliable, unbiased, complete and clear. None of the reports developed by contractor/sub-contractor or NOAA economists' express NOAA policy or management views. Instead, only objective analyses are produced that can be used by all parties (including NOAA policy and management staff) in the policy/management process. All reports that include analyses of data are peer reviewed.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

The commercial fishing panels and the dive log data collections do not use any automated, electronic, mechanical, or other technological techniques or other forms of information technology. However, we are remaining flexible on how dive shops prefer to respond. In the past, most of the dive operations preferred to fax either weekly or monthly dive logs. None wanted to use e-mail. Others required the contractor to come to the Dive Shop and record data from the dive logs onto our forms. We accommodated all methods of communicating results that the dive shops preferred. In the commercial fishing panel study and Dive Shop Logs, employing a data collector that sits down with fishermen and/or Dive Shop Owner/manager and works with the fishermen/dive shop owner or manager to compile the information reduces burden. The respondent does not waste time reading instructions and figuring out how to provide and code the information. The data collector is there to facilitate the information collection and does all the coding. Appointments to meet with the data collector are also made to accommodate the working schedule of the dive shop owner/fisherman to also lower the burden. Data entry into computer databases is done by the contractors and sent to NOAA.

**4. Describe efforts to identify duplication.**

The commercial fishing panels and the dive shop logs are not duplicative of any other known data collections. On the case of the commercial fishing panels, part of the data collection relies on the existing fish ticket system for reporting commercial fishing catch in Florida by FWRI. The dive shop logs are somewhat new, but most dive shops already keep some form of logbooks. Our log sheets are designed to complement existing logs. The dive shops have reviewed our dive logs and agree that they do not impose much burden and they all agree the information is critical to evaluating the impact of introducing artificial reefs into the FKNMS and the management of the SPAs and ERs and have been quite willing to participate.

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

The data collection is not expected to have a significant impact on small entities such as small businesses. Most of the commercial fishing operations are small businesses as are dive shops. In the case of the commercial fishing panels, however, by employing a data collector we minimize the burden on the respondent. We have been able to keep the burden to an average of 3 hours per respondent. Also, this data collection is something that the commercial industry asked us to do. Thus the respondents have a reason to participate and this will ensure high participation rates. The data collection proposed here is not part of a strategic research project where the respondents are not sure what the information will be used. The respondents will all know why



they are participating. NOAA has made a commitment to the commercial fishing industry to conduct this kind of monitoring and this data collection delivers on that promise. Year seven of the commercial fishing panels was recently completed. The contract for year eight will be signed in May 2007.

Almost all dive shops in both Key Largo and Key West have been participating and respondents do not say the dive logs have been a great burden. They are only concerned that we protect the privacy of their individual business data since the dive business is extremely competitive and they do not want their competitors to have access to their data on business volume.

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

NOAA and the managers of the FKNMS have agreed to include socioeconomic monitoring in the ecological monitoring program for the FKNMS. The information collection proposed here delivers on items identified by the user groups as necessary elements of a socioeconomic monitoring program. Many federal agencies that manage natural resources have been tasked by the National Academy of Sciences to adopt adaptive management practices. Adaptive management requires monitoring, both ecological and socioeconomic, to be able to assess what is happening to both the natural resources and the humans that depend upon those resources. The FKNMS has taken important steps along these lines and is living up to their compact with the stakeholders that have participated in developing the management plan for the FKNMS and have helped design the Socioeconomic Monitoring Program. Not completing these data collections would leave NOAA and the FKNMS in violation of these agreements.

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

Data collection will be consistent with OMB guidelines.

**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.**

A Federal Register Notice (copy attached) solicited public comment on this collection. None was received.

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

No payment or gifts are given to respondents in either the commercial fishing panel study or to the dive shops.

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

The commercial fishing panel participants have all been involved in similar data collection efforts and understand the data confidentiality issues. Our data collector, under contract to NOAA, assigns each operation a unique identification code for all databases. The codebook that links the operation to the unique identification number is never provided to NOAA. This book remains in the hands of the contractor. The code book contains the name, name of business, address and telephone number and the database identification number corresponding to each name, name of business, address and telephone number. The databases for distribution will contain the Identification numbers, but the names, names of businesses, addresses and telephone numbers will be destroyed. The remaining data will be available for distribution.

We will provide a separate sheet with each data collection (included in package) authorities, the way in which the information will be used to further performance or agency functions, provide an estimate of burden of time, name and address of sponsoring office, assurance that responses are voluntary, and the extent of confidentiality. The extent of confidentiality is assured by exemption under the Freedom of Information Act (5 USC 522(b)(4) concerning trade secrets or proprietary information, such as commercial business and financial records.

For the dive logs, the dive shops are not concerned that NOAA has their individual business data. They simply want assurance that their individual business data is not given out to others. The dive industry in the Florida Keys is very competitive and each business does not want their competitors to know their number of customers. All databases used for research and available for distribution will not contain business name, address or telephone number.

**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 included in any of the data collections proposed here would be classified as sensitive. Most are standard questions used elsewhere. All identifying information for an individual or business are considered sensitive to protect confidentiality and will not be included in any of the data bases for release to the public.

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

Estimated Number of Respondents:

- A. Commercial Fishing Panels: Approximately 40
- B. Dive Shops: 67

Estimated Time Per Response:

- A. Commercial Fishing Panels: 3 hours
- B. Dive Shops: 10 hours

Estimated Total Annual Burden Hours:

- A. Commercial Fishing Panels: 120 hours
- B Dive Shops: 670 hours

Total.....790 hours

For the commercial fishing panel data collection, the above estimates were produced in consultation with Manoj Shivlani of the University of Miami. Mr. Shivlani has done studies that included data collection similar to what is being proposed here. The questions in the socioeconomic profile of commercial fishermen and the data collection methods for catch and effort for the commercial fisheries were previously done in a Sea Grant project in Florida and published in a Sea Grant report (J. Walter Milon, Daniel O. Suman, Manoj Shivlani and Kathryn A. Cochran, Commercial Fisher’ Perceptions of Marine Reserves for the Florida Keys National Marine Sanctuary, Florida Sea Grant TP-89, December 1997, Florida Sea Grant College, University of Florida, Gainesville, Florida). Manoj Shivlani at the University of Miami under the existing approval has done the data collection and our estimates of burden hours have proved to be quite accurate.

**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).**

There are no costs. Fishing panel information is gathered through interviews, and dive shop logs are copied from the shops. No new recordkeeping requirements are imposed on respondents since dive shops already maintain dive logs.

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

Annualized Cost to the Federal Government:

Socioeconomic Monitoring Program – Florida Keys National Marine Sanctuary

|   |           |
|---|-----------|
| Contracts for Data Collectors.....                              | \$124,000 |
| a. Contracts for Commercial Fishing Panels.....                 | \$54,000  |
| b. Contract for Dive Logs.....                                  | \$70,000  |
| NOAA Staff time in developing questionnaires, maps and contract |           |
| NOAA Staff time in developing questionnaires, maps and contract |           |
| a. Development and oversight.....                               | \$4,606   |
| 1. GS-14 Economist 52 hours * \$65.50/hour.....                 | \$3,406   |
| 2. GS-12 Economist 25 hours * \$48.00/hour.....                 | \$1,200   |
| b. Travel.....  | \$2,500   |
| Total Cost to Federal Government.....                           | \$131,106 |

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

In order to cover the entire Florida Keys for monitoring both U.S.S. Spiegel Grove and U.S.S. Vandenberg, the number of Dive Shops was increased from 30 to 67, with a related increase of 370 burden hours.

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

A. Commercial Fishing Panels

Information is collected annually. Financial performance analysis requires at least two years of data for comparison, but a five-year analysis is planned. Historical information for base year 1998 has been collected, as well as information for years 1999, 2000, 2001, 2002, 2003, 2004, and 2005. Year 8 (2006) will be completed before the current approval expires (August 31, 2006). An assessment will be conducted that will include assessments of the trends in the local, regional and state fisheries, and changes in other regulations that might be affecting the commercial fisheries, plus weather events (e.g., hurricanes) and other environmental events that may have affected the fisheries in the region. The objective is to be able to determine the separate effects of the SPAs and ERs on the financial performance of commercial fisheries. Annual reports are presented at the Zone Performance meetings each year (usually February) held by the FKNMS. All reports for this effort are reported on our Web site (<http://marineeconomics.noaa.gov>).

The data collection is expected to end after year ten. This will allow us to be able to test whether there are long-term gains from the SPAs and ERs to the commercial fisheries.

B. Dive Logs

Information will be collected annually. The data will be combined with on-water observation data to test a methodology for estimating total use of the natural and artificial reefs surrounding the sites selected for sinking new artificial reefs in the FKNMS. The analytical method tests the hypothesis of whether introduction of an artificial reef into a natural reef environment reduces the usage on the surrounding natural reefs. The methodology will also be evaluated for developing an affordable method of monitoring use for individual SPAs and ERs. We developed a method using data obtained for the Spiegel Grove (under this existing approval) that was sunk off Key Largo, Florida in the FKNMS in 2002. We completed analysis of the data, development and peer review and the results were published in the Bulletin of Marine Science (see Leeworthy et al, 2005). The existing approval was also used to gather pre-sinking data for the U.S.S. Hoyt Vandenberg that is planned for sinking off Key West, Florida and for monitoring the U.S.S. Spiegel Grove to determine if the shifting of effort away from natural reefs to artificial reefs was simply a short-term phenomenon. Sinking of the U.S.S. Vandenberg has been delayed and extension of the current approval will be required to collect post-sinking data. All reports documenting methods and communicating summary results will be posted on our Web site (<http://marineeconomics.noaa.gov>).

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

Not applicable.

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

There are no exceptions.

**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.**

For the commercial fishing panels a sample of 5 to 10 fishing operations has been selected for each panel. Selection was based on representative set of operations for each panel. This was done by accessing the fish ticket data system maintained by the Florida Fish and Wildlife Research Institute (FWRI). Fish tickets report type of species caught, amount of species caught, revenue received by fisherman, location of where caught, and location of where landed. For the Sambos Ecological Reserve panel, those that fished in the Key West region were first screened for those that fished in the Sambos before July 1997. A representative panel of fishermen was then assembled who agreed to be part of the long-term panel research. The same procedure was followed for the Tortugas Ecological Reserve panel. For the panel of general commercial fishermen in Monroe County that did not fish in any of the zones before their creation, a panel was constructed that generally is representative of the entire commercial fishery in Monroe County before July 1997. A similar procedure was followed for creation of the Marine Life Collectors panel. These panels have been interviewed each year since 1998. Two panel members have had to be replaced. One retired and the other died. New panel members were recruited to replenish the panels.

For the dive shops, sampling methods are not used. Agreements have been made that all dive shops will voluntarily participate in filling-out the dive logs. This will be a census of the dive shops in the Key Largo and Key West areas. Statistical methods have been tested and peer reviewed for combining on-water observation information with the dive log information in deriving estimates of total use surrounding sinking sites for the Spiegel Grove and the U.S.S. Vandenberg. The methodology will also be tested for estimating total use in individual SPAs and ERs. A complete census of Dive Shops was not obtained in the case of the U.S.S. Spiegel Grove (87 % cooperation rate), a method was developed using on-water observation data to estimate use by non-responding Dive Shops. Seventy-two days per year of on-water observation were obtained for both pre-sinking and post-sinking for the Spiegel Grove and for pre-sinking of the U.S.S. Hoyt Vandenberg. All but three dive shops in the Key Largo/Tavernier area provided

their dive logs. All three of these dive shops were observed to be relatively low users of the study areas for the Spiegel Grove and consequently the development of a correction factor for extrapolating to total dive shop use was minimal.

**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.**

Commercial Fishing Panels: see item 1 above.

Dive logs: a census approach is used here. See item 1 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.**

For the commercial fishing panels and the dive shops, non response has not been a problem. We expected and have received to date a high level of cooperation because the different user groups had requested that we conduct such information collection efforts. Each of these user groups in the FKNMS think that the information collections proposed here are needed in the Socioeconomic Monitoring Program for the FKNMS.

For the Dive Shops, local industry leaders are used to contact Dive Shop owners/managers to get cooperation. When a Dive Shop refuses to cooperate, industry leaders are informed and they make efforts to get participation. So far, cooperation has been very good. Only three Dive Shops in the Key Largo area did not provide their Dive Logs. On-water observation data will be used to derive a correction factor to extrapolate to the total population of use. Initial review of the on-water observation data reveal that the three Dive Shops that refused to supply their dive logbooks are relatively low users of the study area and therefore the correction factor for extrapolating from sample to population will be small.

**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.**

There is no need for additional testing. Both these efforts are on going and have been working.

**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.**

Socioeconomic Monitoring Program Director  
Dr. Vernon R. Leeworthy  
Leader, Coastal and Ocean Resource Economics Program  
NOAA, National Ocean Service, Special Projects  
1305 East West Highway, SSMC 4, 9th floor  
Silver Spring, MD 20910  
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Data Collection Methods and Statistical Methods (consultants)

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E-mail: rork@athens.net

## Contractors for Data Collection

### Commercial Fishing Panels

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Thomas J. Murray & Associates and Virginia Institute of Marine Sciences  
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### Dive Logs

Tom Maher  
Marine Habitats, Inc.  
3424 Old St. Augustine Road  
Suite H  
Tallahassee, FL 32311-5322  
Telephone: (850) 514-2189  
Fax: (850) 514-2189  
E-mail: [marinehabitatsinc@hotmail.com](mailto:marinehabitatsinc@hotmail.com)

Joe Weatherby  
Artificial Reefs of the Keys, Inc.  
P.O. Box 4190  
Key West, FL 33040  
Telephone: (305) 296-7088  
Fax: (305) 296-5762

Sub-contractor for Artificial Reefs of the Keys, Inc.



Resource Control Corp.  
Chris Norwood, Project Manager  
103 Willis Street  
Rancocas, NJ 08703-0579  
Telephone: (609) 261-3388  
Fax: (609) 261-094

### References

Leeworthy, V.R., T. Maher and E.A. Stone. 2006. "Can Artificial Reefs Alter User Pressure on Adjacent Natural Reefs? Bulletin of Marine Science, 79 (11): 29-37. Available at <http://marineeconomics.noaa.gov/Reefs/04-5294-Leeworthy.pdf>

**ATTACHMENT A**

**Information Sheets and Questionnaires**

## COMMERCIAL FISHING OPERATIONS

### IMPORTANT INFORMATION ABOUT THIS INFORMATION COLLECTION

#### 1. Authorizations to Collect the Information

The National Marine Sanctuaries Act (16 USC 1431, et seq.) and The Florida Keys National Marine Sanctuary and Protection Act (Public Law 101-605, Sec 7 (5)) authorizes the Florida Keys National Marine Sanctuary to establish regulations to protect sanctuary resources or resolve user conflicts. This act also authorizes the Sanctuary to do research and collect information necessary for evaluating new regulations.

#### 2. How the Information Will Be Used

The information being collected will be used to conduct financial performance analysis of representative samples of commercial fishing operations that may have been impacted by Sanctuary regulations. A Socioeconomic Monitoring Program has been established in the Florida Keys National Marine Sanctuary and the commercial fishing industry is an important component of this program.

#### 3. Statement of Burden

Public reporting burden for this collection of information is estimated to average about three hours per response, including 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 aspect of this collection of information, including suggestions for reducing burden, to Dr. Vernon R. (Bob) Leeworthy, Leader, Coastal and Ocean Resource Economics Program, National Ocean Service, Management and Budget Office, Special Projects, 1305 East West Highway, SSMC 4, 9<sup>th</sup> floor, Silver Spring, MD 20910.

#### 4. Your Participation and Protections of Confidentiality

Your participation is voluntary. 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 the collection of information displays a currently valid OMB Control Number.

Any information that identifies you or your business (name, name of business, address and telephone number) will not be given to anyone, including the government agencies sponsoring this information collection. The information that identifies you or your business will be destroyed by the contractor collecting the information at the end of the information collection. All other information will be available for distribution.

**COMMERCIAL FISHING**  
**Socioeconomic Profile Questionnaire**

Name \_\_\_\_\_  
Telephone \_\_\_\_\_  
Address or Contact Site \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. Which of the following includes your age?  
18 – 30    31 - 40    41 – 50    51 – 60    over 60
2. What is your racial/ethnic background ?
- a. White
  - b. Black or African American
  - c. American Indian or Alaska Native
  - d. Native Hawaiian or Other Pacific Islander
  - e. Asian

Are you Spanish, Hispanic, or Latino?    Yes \_\_\_    No \_\_\_

3. How many family members do you support (including yourself)?  
myself only    2    3    4    5    6    7    greater than 7

4. Are you a member of any of the following groups?
- |                                    |         |        |
|------------------------------------|---------|--------|
| Chamber of Commerce                | Yes ___ | No ___ |
| Environmental Group                | Yes ___ | No ___ |
| Victims of NOAA                    | Yes ___ | No ___ |
| Conch Coalition                    | Yes ___ | No ___ |
| Monroe County Commercial Fishermen | Yes ___ | No ___ |
| Organized Fishermen of Florida     | Yes ___ | No ___ |

5. Do you belong to a fish house ?    Yes \_\_\_    No \_\_\_  
- if yes, then which one ? \_\_\_\_\_

6. Which of the following would you describe as your primary hauling port/dock ?
- |                           |                    |
|---------------------------|--------------------|
| ___ Key West/Stock Island | ___ Summerland Key |
| ___ Big Pine Key          | ___ Marathon       |
| ___ Islamorada            | ___ Key Largo      |
| ___ Tavenier              | ___ Other _____    |

7. How many years have you been a commercial fishermen in Monroe County?  
Less than 1 year    1-5    6-10    11-20    over 20 years

8. Please provide your BEST ESTIMATE of the replacement value for the following items used for commercial fishing in (*year of study*) ?

|                                       |          |
|---------------------------------------|----------|
| ___ Vessels and electronic equipment: | \$ _____ |
| Lobster Traps: Number _____           | \$ _____ |
| Nets: Number: _____                   | \$ _____ |
| Other gear:                           | \$ _____ |

9. Please provide your BEST ESTIMATE for the following expenses in (*year of study*) ?

|                                     |          |
|-------------------------------------|----------|
| Docking fees:                       | \$ _____ |
| Fish House Fees:                    | \$ _____ |
| Interest payments on vessel (s):    | \$ _____ |
| Maintenance and repairs vessel (s): | \$ _____ |
| Maintenance and repairs traps:      | \$ _____ |
| Maintenance and repairs gear:       | \$ _____ |

10. What approximate percentage of your income is derived from commercial fishing? \_\_\_\_%

11. Which of the following best describes your fishing occupation?

- a. commercial/full-time
- b. commercial/part-time
- c. charterboat
- d. recreational

12. What approximate percentage of your income is derived from fishing in the Monroe County?  
\_\_\_\_%

**COMMERCIAL FISHING  
 MONROE COUNTY/FKNMS**

**Catch, Trips and Trip Costs by Fishery**

**1. Total Catch by Species and by Area**

The map shows the seven (7) areas for Monroe County and the Florida Keys National Marine Sanctuary. Please refer to this map and use the following table and give me your BEST ESTIMATE of your TOTAL CATCH in each fishery in (*year of study*) and the percent of catch in each area.

| <b>Fishery</b>  | <b>Pounds</b> | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>Total</b> |
|-----------------|---------------|----------|----------|----------|----------|----------|----------|----------|--------------|
| Stone Crabs     |               |          |          |          |          |          |          |          | 100%         |
| Lobster         |               |          |          |          |          |          |          |          | 100%         |
| Shrimp          |               |          |          |          |          |          |          |          | 100%         |
| Snapper/Grouper |               |          |          |          |          |          |          |          | 100%         |
| Mackerels       |               |          |          |          |          |          |          |          | 100%         |
| Sharks          |               |          |          |          |          |          |          |          | 100%         |
| Others          |               |          |          |          |          |          |          |          | 100%         |

**2. Total Number of Trips by Species and by Area**

Now use the following table and give your BEST ESTIMATE of the TOTAL NUMBER OF TRIPS in each fishery and the percent of total trips in each area.

| <b>Fishery</b>  | <b>Trips</b> | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>Total</b> |
|-----------------|--------------|----------|----------|----------|----------|----------|----------|----------|--------------|
| Stone Crabs     |              |          |          |          |          |          |          |          | 100%         |
| Lobster         |              |          |          |          |          |          |          |          | 100%         |
| Shrimp          |              |          |          |          |          |          |          |          | 100%         |
| Snapper/Grouper |              |          |          |          |          |          |          |          | 100%         |
| Mackerels       |              |          |          |          |          |          |          |          | 100%         |
| Sharks          |              |          |          |          |          |          |          |          | 100%         |
| Others          |              |          |          |          |          |          |          |          | 100%         |

**3. Trip Costs by Species**

Please use the following table and give me your BEST ESTIMATE of your costs for a TYPICAL TRIP in each of the fisheries you participated in during (*year of study*).

| <b>Item</b>     | <b>Stone Crabs</b> | <b>Lobster</b> | <b>Shrimp</b> | <b>Snapper/Grouper</b> | <b>Mackerels</b> | <b>Others</b> |
|-----------------|--------------------|----------------|---------------|------------------------|------------------|---------------|
| Fuel and Oil    |                    |                |               |                        |                  |               |
| Ice             |                    |                |               |                        |                  |               |
| Bait            |                    |                |               |                        |                  |               |
| Food & Supplies |                    |                |               |                        |                  |               |
| Spotter Plane   |                    |                |               |                        |                  |               |
| Other           |                    |                |               |                        |                  |               |
| Crew            |                    |                |               |                        |                  |               |

**MARINE LIFE COLLECTING  
MONROE COUNTY/FKNMS**

**CATCH, TRIPS AND COSTS**

**4. Total Catch by Species and by Area**

The map shows the seven (7) areas for Monroe County and the Florida Keys National Marine Sanctuary. Please refer to this map and use the following table and give me your BEST ESTIMATE of your TOTAL CATCH in each fishery in (*year of study*) and the percent of catch in each area.

| <b>Species</b>            | <b>Numbers</b> | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>Total</b> |
|---------------------------|----------------|----------|----------|----------|----------|----------|----------|----------|--------------|
| Fin Fish                  |                |          |          |          |          |          |          |          | 100%         |
| Invertebrates             |                |          |          |          |          |          |          |          | 100%         |
| Plants                    |                |          |          |          |          |          |          |          | 100%         |
| Live Rock<br>(lease) lbs. |                |          |          |          |          |          |          |          | 100%         |
| Live Sand (lbs)           |                |          |          |          |          |          |          |          | 100%         |
| Others                    |                |          |          |          |          |          |          |          | 100%         |

**5. Total Number of Trips by Species and by Area**

Now use the following table and give your BEST ESTIMATE of the TOTAL NUMBER OF TRIPS for each species and the percent of total trips in each area.

| <b>Species</b>       | <b>Trips</b> | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>Total</b> |
|----------------------|--------------|----------|----------|----------|----------|----------|----------|----------|--------------|
| Fin Fish             |              |          |          |          |          |          |          |          | 100%         |
| Invertebrates        |              |          |          |          |          |          |          |          | 100%         |
| Plants               |              |          |          |          |          |          |          |          | 100%         |
| Live Rock<br>(lease) |              |          |          |          |          |          |          |          | 100%         |
| Live Sand            |              |          |          |          |          |          |          |          | 100%         |
| Others               |              |          |          |          |          |          |          |          | 100%         |

**6. Trip Costs by Species**

Please use the following table and give me your BEST ESTIMATE of your costs for a TYPICAL TRIP in each of the fisheries you participated in during (*year of study*).

| <b>Item</b>        | <b>Fin Fish</b> | <b>Invertebrates</b> | <b>Plants</b> | <b>Live Rock (lease)</b> | <b>Live Sand</b> | <b>Others</b> |
|--------------------|-----------------|----------------------|---------------|--------------------------|------------------|---------------|
| Fuel and Oil       |                 |                      |               |                          |                  |               |
| Ice                |                 |                      |               |                          |                  |               |
| Bait               |                 |                      |               |                          |                  |               |
| Food &<br>Supplies |                 |                      |               |                          |                  |               |
| Spotter<br>Plane   |                 |                      |               |                          |                  |               |
| Other              |                 |                      |               |                          |                  |               |
| Crew               |                 |                      |               |                          |                  |               |

## **DIVE SHOPS AND OPERATIONS**

### **IMPORTANT INFORMATION ABOUT THIS INFORMATION COLLECTION**

#### **5. Authorizations to Collect the Information**

The National Marine Sanctuaries Act (16 USC 1431, et seq.) and The Florida Keys National Marine Sanctuary and Protection Act (Public Law 101-605, Sec 7 (5)) authorizes the Florida Keys National Marine Sanctuary to establish regulations to protect sanctuary resources or resolve user conflicts. This act also authorizes the Sanctuary to do research and collect information necessary for evaluating new regulations.

#### **6. How the Information Will Be Used**

The information being collected will be used to estimate the total amount of use in the Sanctuary Preservation Areas (SPAs) in the Florida Keys National Marine Sanctuary and also assess the need for additional artificial reefs in the area. A Socioeconomic Monitoring Program has been established in the Florida Keys National Marine Sanctuary and monitoring the use of the SPAs was considered to be a high priority element of the program.

#### **7. Statement of Burden**

Public reporting burden for this collection of information is estimated to average about 10 hours per year per response, including 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 aspect of this collection of information, including suggestions for reducing burden, to Dr. Vernon R. (Bob) Leeworthy, Leader, Coastal and Ocean Resource Economics Program, National Ocean Service, Management and Budget Office, Special Projects, 1305 East West Highway, SSMC 4, 9<sup>th</sup> floor, Silver Spring, MD 20910.

#### **8. Your Participation and Protections of Confidentiality**

Your participation is voluntary. 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 the collection of information displays a currently valid OMB Control Number.

Any information that identifies you or your business (name, name of business, address and telephone number) will not be given to anyone outside the agency sponsoring this information collection. Name address, business name, boat name and telephone will be treated as proprietary information. The information that identifies you or your business will not be released to anyone pursuant to the Freedom of Information Act (5 USC Section 552 (B) (4)). All other information will be available for distribution.





**ATTACHMENT B**

**Authorities**

**ATTACHMENT A**

**Information Sheets and Questionnaires**

## COMMERCIAL FISHING OPERATIONS

### IMPORTANT INFORMATION ABOUT THIS INFORMATION COLLECTION

#### 1. Authorizations to Collect the Information

The National Marine Sanctuaries Act (16 USC 1431, et seq.) and The Florida Keys National Marine Sanctuary and Protection Act (Public Law 101-605, Sec 7 (5) authorizes the Florida Keys National Marine Sanctuary to establish regulations to protect sanctuary resources or resolve user conflicts. This act also authorizes the Sanctuary to do research and collect information necessary for evaluating new regulations.

#### 2. How the Information Will Be Used

The information being collected will be used to conduct financial performance analysis of representative samples of commercial fishing operations that may have been impacted by Sanctuary regulations. A Socioeconomic Monitoring Program has been established in the Florida Keys National Marine Sanctuary and the commercial fishing industry is an important component of this program.

#### 3. Statement of Burden

Public reporting burden for this collection of information is estimated to average about three hours per response, including 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 aspect of this collection of information, including suggestions for reducing burden, to Dr. Vernon R. (Bob) Leeworthy, Leader, Coastal and Ocean Resource Economics Program, National Ocean Service, Management and Budget Office, Special Projects, 1305 East West Highway, SSMC 4, 9<sup>th</sup> floor, Silver Spring, MD 20910.

#### 4. Your Participation and Protections of Confidentiality

Your participation is voluntary. 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 the collection of information displays a currently valid OMB Control Number.

Any information that identifies you or your business (name, name of business, address and telephone number) will not be given to anyone, including the government agencies sponsoring this information collection. The information that identifies you or your business will be destroyed by the contractor collecting the information at the end of the information collection. All other information will be available for distribution.

**COMMERCIAL FISHING**  
**Socioeconomic Profile Questionnaire**

Name \_\_\_\_\_  
Telephone \_\_\_\_\_  
Address or Contact Site \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. Which of the following includes your age?  
18 – 30    31 - 40    41 – 50    51 – 60    over 60
2. What is your racial/ethnic background ?
- a. White
  - b. Black or African American
  - c. American Indian or Alaska Native
  - d. Native Hawaiian or Other Pacific Islander
  - e. Asian

Are you Spanish, Hispanic, or Latino?    Yes \_\_\_    No \_\_\_

3. How many family members do you support (including yourself)?  
myself only    2    3    4    5    6    7    greater than 7

4. Are you a member of any of the following groups?
- |                                    |         |        |
|------------------------------------|---------|--------|
| Chamber of Commerce                | Yes ___ | No ___ |
| Environmental Group                | Yes ___ | No ___ |
| Victims of NOAA                    | Yes ___ | No ___ |
| Conch Coalition                    | Yes ___ | No ___ |
| Monroe County Commercial Fishermen | Yes ___ | No ___ |
| Organized Fishermen of Florida     | Yes ___ | No ___ |

5. Do you belong to a fish house ?    Yes \_\_\_    No \_\_\_  
- if yes, then which one ? \_\_\_\_\_

6. Which of the following would you describe as your primary hauling port/dock ?
- |                           |                    |
|---------------------------|--------------------|
| ___ Key West/Stock Island | ___ Summerland Key |
| ___ Big Pine Key          | ___ Marathon       |
| ___ Islamorada            | ___ Key Largo      |
| ___ Tavenier              | ___ Other _____    |

7. How many years have you been a commercial fishermen in Monroe County?  
Less than 1 year    1-5    6-10    11-20    over 20 years

8. Please provide your BEST ESTIMATE of the replacement value for the following items used for commercial fishing in (*year of study*) ?

\_\_\_ Vessels and electronic equipment: \$ \_\_\_\_\_  
Lobster Traps: Number \_\_\_\_\_ \$ \_\_\_\_\_  
Nets: Number: \_\_\_\_\_ \$ \_\_\_\_\_  
Other gear: \$ \_\_\_\_\_

9. Please provide your BEST ESTIMATE for the following expenses in (*year of study*) ?

Docking fees: \$ \_\_\_\_\_  
Fish House Fees: \$ \_\_\_\_\_  
Interest payments on vessel (s): \$ \_\_\_\_\_  
Maintenance and repairs vessel (s): \$ \_\_\_\_\_  
Maintenance and repairs traps: \$ \_\_\_\_\_  
Maintenance and repairs gear: \$ \_\_\_\_\_

10. What approximate percentage of your income is derived from commercial fishing? \_\_\_\_%

11. Which of the following best describes your fishing occupation?

- a. commercial/full-time
- b. commercial/part-time
- c. charterboat
- d. recreational

12. What approximate percentage of your income is derived from fishing in the Monroe County?  
\_\_\_\_%

**COMMERCIAL FISHING  
 MONROE COUNTY/FKNMS**

**Catch, Trips and Trip Costs by Fishery**

**1. Total Catch by Species and by Area**

The map shows the seven (7) areas for Monroe County and the Florida Keys National Marine Sanctuary. Please refer to this map and use the following table and give me your BEST ESTIMATE of your TOTAL CATCH in each fishery in (*year of study*) and the percent of catch in each area.

| <b>Fishery</b>  | <b>Pounds</b> | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>Total</b> |
|-----------------|---------------|----------|----------|----------|----------|----------|----------|----------|--------------|
| Stone Crabs     |               |          |          |          |          |          |          |          | 100%         |
| Lobster         |               |          |          |          |          |          |          |          | 100%         |
| Shrimp          |               |          |          |          |          |          |          |          | 100%         |
| Snapper/Grouper |               |          |          |          |          |          |          |          | 100%         |
| Mackerels       |               |          |          |          |          |          |          |          | 100%         |
| Sharks          |               |          |          |          |          |          |          |          | 100%         |
| Others          |               |          |          |          |          |          |          |          | 100%         |

**2. Total Number of Trips by Species and by Area**

Now use the following table and give your BEST ESTIMATE of the TOTAL NUMBER OF TRIPS in each fishery and the percent of total trips in each area.

| <b>Fishery</b>  | <b>Trips</b> | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>Total</b> |
|-----------------|--------------|----------|----------|----------|----------|----------|----------|----------|--------------|
| Stone Crabs     |              |          |          |          |          |          |          |          | 100%         |
| Lobster         |              |          |          |          |          |          |          |          | 100%         |
| Shrimp          |              |          |          |          |          |          |          |          | 100%         |
| Snapper/Grouper |              |          |          |          |          |          |          |          | 100%         |
| Mackerels       |              |          |          |          |          |          |          |          | 100%         |
| Sharks          |              |          |          |          |          |          |          |          | 100%         |
| Others          |              |          |          |          |          |          |          |          | 100%         |

**3. Trip Costs by Species**

Please use the following table and give me your BEST ESTIMATE of your costs for a TYPICAL TRIP in each of the fisheries you participated in during (*year of study*).

| <b>Item</b>     | <b>Stone Crabs</b> | <b>Lobster</b> | <b>Shrimp</b> | <b>Snapper/Grouper</b> | <b>Mackerels</b> | <b>Others</b> |
|-----------------|--------------------|----------------|---------------|------------------------|------------------|---------------|
| Fuel and Oil    |                    |                |               |                        |                  |               |
| Ice             |                    |                |               |                        |                  |               |
| Bait            |                    |                |               |                        |                  |               |
| Food & Supplies |                    |                |               |                        |                  |               |
| Spotter Plane   |                    |                |               |                        |                  |               |
| Other           |                    |                |               |                        |                  |               |
| Crew            |                    |                |               |                        |                  |               |

**MARINE LIFE COLLECTING  
MONROE COUNTY/FKNMS**

**CATCH, TRIPS AND COSTS**

**4. Total Catch by Species and by Area**

The map shows the seven (7) areas for Monroe County and the Florida Keys National Marine Sanctuary. Please refer to this map and use the following table and give me your BEST ESTIMATE of your TOTAL CATCH in each fishery in (*year of study*) and the percent of catch in each area.

| <b>Species</b>            | <b>Numbers</b> | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>Total</b> |
|---------------------------|----------------|----------|----------|----------|----------|----------|----------|----------|--------------|
| Fin Fish                  |                |          |          |          |          |          |          |          | 100%         |
| Invertebrates             |                |          |          |          |          |          |          |          | 100%         |
| Plants                    |                |          |          |          |          |          |          |          | 100%         |
| Live Rock<br>(lease) lbs. |                |          |          |          |          |          |          |          | 100%         |
| Live Sand (lbs)           |                |          |          |          |          |          |          |          | 100%         |
| Others                    |                |          |          |          |          |          |          |          | 100%         |

**5. Total Number of Trips by Species and by Area**

Now use the following table and give your BEST ESTIMATE of the TOTAL NUMBER OF TRIPS for each species and the percent of total trips in each area.

| <b>Species</b>       | <b>Trips</b> | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>Total</b> |
|----------------------|--------------|----------|----------|----------|----------|----------|----------|----------|--------------|
| Fin Fish             |              |          |          |          |          |          |          |          | 100%         |
| Invertebrates        |              |          |          |          |          |          |          |          | 100%         |
| Plants               |              |          |          |          |          |          |          |          | 100%         |
| Live Rock<br>(lease) |              |          |          |          |          |          |          |          | 100%         |
| Live Sand            |              |          |          |          |          |          |          |          | 100%         |
| Others               |              |          |          |          |          |          |          |          | 100%         |

**6. Trip Costs by Species**

Please use the following table and give me your BEST ESTIMATE of your costs for a TYPICAL TRIP in each of the fisheries you participated in during (*year of study*).

| <b>Item</b>        | <b>Fin Fish</b> | <b>Invertebrates</b> | <b>Plants</b> | <b>Live Rock (lease)</b> | <b>Live Sand</b> | <b>Others</b> |
|--------------------|-----------------|----------------------|---------------|--------------------------|------------------|---------------|
| Fuel and Oil       |                 |                      |               |                          |                  |               |
| Ice                |                 |                      |               |                          |                  |               |
| Bait               |                 |                      |               |                          |                  |               |
| Food &<br>Supplies |                 |                      |               |                          |                  |               |
| Spotter<br>Plane   |                 |                      |               |                          |                  |               |
| Other              |                 |                      |               |                          |                  |               |
| Crew               |                 |                      |               |                          |                  |               |



## **DIVE SHOPS AND OPERATIONS**

### **IMPORTANT INFORMATION ABOUT THIS INFORMATION COLLECTION**

#### **5. Authorizations to Collect the Information**

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**ATTACHMENT B**

**Authorities**

[collection home](#)[search](#)[TITLE 16](#) > [CHAPTER 32](#) > **Sec. 1440.**[Prev](#) | [Next](#)**Sec. 1440. - Research, monitoring, and education****(a)** In general

The Secretary shall conduct, support, or coordinate research, monitoring, evaluation, and education programs consistent with subsections (b) and (c) of this section and the purposes and policies of this chapter.

**(b)** Research and monitoring**(1)** In general

The Secretary may -

**(A)**

support, promote, and coordinate research on, and long-term monitoring of, sanctuary resources and natural processes that occur in national marine sanctuaries, including exploration, mapping, and environmental and socioeconomic assessment;

**(B)**

develop and test methods to enhance degraded habitats or restore damaged, injured, or lost sanctuary resources; and

**(C)**

support, promote, and coordinate research on, and the conservation, curation, and public display of, the cultural, archeological, and historical resources of national marine sanctuaries.

**(2) Availability of results**

The results of research and monitoring conducted, supported, or permitted by the Secretary under this subsection shall be made available to the public. *Search this title:*

**(c) Education****(1) In general**

The Secretary may support, promote, and coordinate efforts to enhance public awareness, understanding, and appreciation of national marine sanctuaries and the System. Efforts supported, promoted, or coordinated under this subsection must emphasize the conservation goals and sustainable public uses of national marine sanctuaries and the System.

[Notes](#)

[Updates](#)

[Parallel authorities \(CFR\)](#)

[Topical references](#)

**(2) Educational activities**

Activities under this subsection may include education of the general public, teachers, students, national marine sanctuary users, and ocean and coastal resource managers.

**(d) Interpretive facilities****(1) In general**

The Secretary may develop interpretive facilities near any national marine sanctuary.

## **(2) Facility requirement**

Any facility developed under this subsection must emphasize the conservation goals and sustainable public uses of national marine sanctuaries by providing the public with information about the conservation, recreational, ecological, historical, cultural, archeological, scientific, educational, or esthetic qualities of the national marine sanctuary.

## **(e) Consultation and coordination**

In conducting, supporting, and coordinating research, monitoring, evaluation, and education programs under subsection (a) of this section and developing interpretive facilities under subsection (d) of this section, the Secretary may consult or coordinate with Federal, interstate, or regional agencies, States or local governments

[Prev](#) | [Next](#)

# **The Florida Keys National Marine Sanctuary and Protection Act**

## **Public Law 101-605 (H.R. 5909)**

SECTION 1. SHORT TITLE. This Act may be cited as the "Florida Keys National Marine Sanctuary and Protection Act."

SEC. 2. FINDINGS. The Congress finds and declares the following:

(1) The Florida Keys extend approximately 220 miles southwest from the southern tip of the Florida peninsula.

(2) Adjacent to the Florida Keys land mass are located spectacular, unique, and nationally significant marine environments, including seagrass meadows, mangrove islands, and extensive living coral reefs.

(3) These marine environments support rich biological communities possessing extensive conservation, recreational, commercial, ecological, historical, research, educational, and esthetic values which give this area special national significance.

(4) These environments are the marine equivalent of tropical rain forests in that they support high levels of biological diversity, are fragile and easily susceptible to damage from human activities, and possess high value to human beings if properly conserved.

(5) These marine environments are subject to damage and loss of their ecological integrity from a variety of sources of disturbance.

(6) Vessel groundings along the reefs of the Florida Keys represent one of many serious threats to the continued vitality of the marine environments of the Florida Keys which must be addressed in order to protect their values.

(7) Action is necessary to provide comprehensive protection for these marine environments by establishing a Florida Keys National Marine Sanctuary, by restricting vessel traffic within such Sanctuary, and by requiring promulgation of a management plan and regulations to protect sanctuary resources.

(8) The agencies of the United States must cooperate fully to achieve the necessary protection of sanctuary resources.

(9) The Federal Government and the State of Florida should jointly develop and implement a comprehensive program to reduce pollution in the waters offshore the Florida Keys to protect and restore the water quality, coral reefs, and other living marine resources of the Florida Keys environment.

## **POLICY AND PURPOSE**

SEC. 3.(a) **POLICY.**—It is the policy of the United States to protect and preserve living and other resources of the Florida Keys marine environment.

(b) **PURPOSE.**—The purpose of this Act is to protect the resources of the area described in section 5(b), to educate and interpret for the public regarding the Florida Keys marine environment, and to manage such human uses of the Sanctuary consistent with this Act. Nothing in this Act is intended to restrict activities that do not cause an adverse effect to the resources or property of the Sanctuary or that do not pose harm to **users of the Sanctuary.**

## **DEFINITION**

SEC. 4. As used in this Act, the term “adverse effect” means any factor, force, or action that would independently or cumulatively damage, diminish, degrade, impair, destroy, or otherwise harm—

(1) any sanctuary resource, as defined in section 302(8) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1432(8)); or

(2) any of those qualities, values, or purposes for which the Sanctuary is designated.

## **SANCTUARY DESIGNATION**

SEC. 5.(a) **DESIGNATION.**—The area described in subsection (b) is designated as the Florida Keys National Marine Sanctuary (in this Act referred to as the “Sanctuary”) under title III of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1431 et seq.). The Sanctuary shall be managed and regulations enforced under all applicable provisions of such title III as if the Sanctuary had been designated under such title.

(b) **AREA INCLUDED.**—(1) Subject to subsections (c) and (d), the area referred to in subsection (a) consists of all submerged lands and waters, including living marine and other resources within and on those lands and waters, from the mean high water mark to the boundary described under paragraph (2), with the exception of areas within the Fort Jefferson National Monument. The Sanctuary shall be generally identified and depicted on National Oceanic and Atmospheric Administration charts FKNMS 1 and 2, which shall be maintained on file and kept available for public examination during regular business hours at the Office of Ocean and Coastal Resource Management of the National Oceanic and Atmospheric Administration and which shall be updated to reflect boundary modifications under this section.

(2) The boundary referred to in paragraph (1)—



(A) begins at the northeasternmost point of Biscayne National Park located at approximately 25 degrees 39 minutes north latitude, 80 degrees 5 minutes west longitude, then runs eastward to the 300-foot isobath located at approximately 25 degrees 39 minutes north latitude, 80 degrees 4 minutes west longitude;

(B) then runs southward and connects in succession the points at the following coordinates:

(i) 25 degrees 34 minutes north latitude, 80 degrees 4 minutes west longitude,

(ii) 25 degrees 28 minutes north latitude, 80 degrees 5 minutes west longitude, and

(iii) 25 degrees 21 minutes north latitude, 80 degrees 7 minutes west longitude;

(C) then runs southward to the northeastern corner of the existing Key Largo National Marine Sanctuary located at 25 degrees 16 minutes north latitude, 80 degrees 8 minutes west longitude;

(D) then runs southwesterly approximating the 300-foot isobath and connects in succession the points at the following coordinates:

(i) 25 degrees 7 minutes north latitude, 80 degrees 13 minutes west longitude,

(ii) 24 degrees 57 minutes north latitude, 80 degrees 21 minutes west longitude,

(iii) 24 degrees 39 minutes north latitude, 80 degrees 52 minutes west longitude,

(iv) 24 degrees 30 minutes north latitude, 81 degrees 23 minutes west longitude,

(v) 24 degrees 25 minutes north latitude, 81 degrees 50 minutes west longitude,

(vi) 24 degrees 22 minutes north latitude, 82 degrees 48 minutes west longitude,

(vii) 24 degrees 37 minutes north latitude, 83 degrees 6 minutes west longitude,

(viii) 24 degrees 40 minutes north latitude, 83 degrees 6 minutes west longitude,

(ix) 24 degrees 46 minutes north latitude, 82 degrees 54 minutes west longitude,

(x) 24 degrees 44 minutes north latitude, 81 degrees 55 minutes west longitude,

(xi) 24 degrees 51 minutes north latitude, 81 degrees 26 minutes west longitude, and

(xii) 24 degrees 55 minutes north latitude, 80 degrees 56 minutes west longitude;

(E) then follows the boundary of Everglades National Park in a southerly then northeasterly direction through Florida Bay, Buttonwood Sound, Tarpon Basin, and Blackwater Sound;

(F) after Division Point, then departs from the boundary of Everglades National Park and follows the western shoreline of Manatee Bay, Barnes Sound, and Card Sound;

(G) then follows the southern boundary of Biscayne National Park and the northern boundary of Key Largo National Marine Sanctuary to the southeasternmost point of Biscayne National Park; and

(H) then follows the eastern boundary of the Biscayne National Park to the beginning point specified in subparagraph (A).

(c) AREAS WITHIN STATE OF FLORIDA.—The designation under subsection (a) shall not take effect for any area located within the waters of the State of Florida if, not later than 45 days after the date of enactment of this Act, the Governor of the State of Florida objects in writing to the Secretary of Commerce.

(d) BOUNDARY MODIFICATIONS.—No later than the issuance of the draft environmental impact statement for the Sanctuary under section 304(a) (1) (C) (vii) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1434(a) (1) (C) (vii)), in consultation with the Governor of the State of Florida, if appropriate, the Secretary of Commerce may make minor modifications to the boundaries of the Sanctuary as necessary to properly protect sanctuary resources. The Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Merchant Marine and Fisheries of the House of Representatives a written notification of such modifications. Any boundary modification made under this subsection shall be reflected on the charts referred to in subsection (b) (1).

## **PROHIBITION OF CERTAIN USES**

SEC. 6.(a) VESSEL TRAFFIC.—(1) Consistent with generally recognized principles of international law, a person may not operate a tank vessel (as that term is defined in section 2101 of title 46, United States Code) or a vessel greater than 50 meters in length in the Area to Be Avoided described in the Federal Register notice of May 9, 1990 (55 Fed. Reg. 19418-19419).

(2) The prohibition in paragraph (1) shall not apply to necessary operations of public vessels. For the purposes of this paragraph, necessary operations of public vessels shall include operations essential for national defense, law enforcement, and responses to emergencies that threaten life, property, or the environment.

(3) The provisions of paragraphs (1) and (2), including the area in which vessel operations are prohibited under paragraph (1), may be modified by regulations issued jointly by the Secretary of the department in which the Coast guard is operating and the Secretary of Commerce.

(4) This subsection shall be effective on the earliest of the following:

- (A) the date that is six months after the date of enactment of this Act,
- (B) the date of publication of a notice to mariners consistent with this section, or
- (C) the date of publication of new nautical charts consistent with this section.

(b) MINERAL AND HYDROCARBON LEASING, EXPLORATION, DEVELOPMENT, AND PRODUCTION.—No leasing, exploration, development, or production of minerals or hydrocarbons shall be permitted within the Sanctuary.

## **COMPREHENSIVE MANAGEMENT PLAN**

SEC. 7.(a) PREPARATION OF PLAN.—The Secretary of Commerce, in consultation with appropriate Federal, State, and local government authorities and with the Advisory Council established under section 208, shall develop a comprehensive management plan and implementing regulations to achieve the policy and purpose of this Act. The Secretary of Commerce shall complete such comprehensive management plan and final regulations for the Sanctuary not later than 30 months after the date of enactment of this Act. In developing the plan and regulations, the Secretary of Commerce shall follow the procedures specified in sections 303 and 304 of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1433 and 1434), except those procedures requiring the delineation of Sanctuary boundaries and development of a resource assessment report. Such comprehensive management plan shall—

- (1) facilitate all public and private uses of the Sanctuary consistent with the primary objective of Sanctuary resource protection;
- (2) consider temporal and geographical zoning, to ensure protection of sanctuary resources;
- (3) incorporate regulations necessary to enforce the elements of the comprehensive water quality protection program developed under section 8 unless the Secretary of Commerce determines that such program does not meet the purpose for which the Sanctuary is designated or is otherwise inconsistent or incompatible with the comprehensive management plan developed under this section;
- (4) identify priority needs for research and amounts needed to—
  - (A) improve management of the Sanctuary, and in particular, the coral reef ecosystem within the Sanctuary; and
  - (B) identify clearly the cause and effect relationships between factors threatening the health of the coral reef ecosystem in the Sanctuary;
- (5) establish a long-term ecological monitoring program and database, including methods to disseminate information on the management of the coral reef ecosystem.
- (6) identify alternative sources of funding needed to fully implement the plan's provisions and supplement appropriations under section 9 of this Act and section 313 of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1444).
- (7) ensure coordination and cooperation between Sanctuary managers and other Federal, State, and local authorities with jurisdiction within or adjacent to the Sanctuary;
- (8) promote education, among users of the Sanctuary, about coral reef conservation and navigational safety; and
- (9) incorporate the existing Looe Key and Key Largo National Marine Sanctuaries into the Florida Keys National Marine Sanctuary except that Looe Key and Key Largo Sanctuaries shall continue to be operated until completion of the comprehensive management plan for the Florida Keys Sanctuary.

(b) **PUBLIC PARTICIPATION.**—The Secretary of Commerce shall provide for participation by the general public in development of the comprehensive management plan.

(c) **TERMINATION OF STUDIES.**—On the date of enactment of this Act, all congressionally mandated studies of existing areas in the Florida Keys for designation as National Marine Sanctuaries shall be terminated.

## **FLORIDA KEYS WATER QUALITY**

**SEC. 8.(a) WATER QUALITY PROTECTION PROGRAM.**—(1) Not later than 18 months after the date of enactment of this Act, the Administrator of the Environmental Protection Agency and the Governor of the State of Florida, in consultation with the Secretary of Commerce, shall develop a comprehensive water quality protection program for the Sanctuary. If the Secretary of Commerce determines that such comprehensive water quality protection program does not meet the purpose for which the Sanctuary is designated or is otherwise inconsistent or incompatible with the comprehensive management plan prepared under section 7, such water quality program shall not be included in the comprehensive management plan. The purposes of such water quality program shall be to—

- (A) recommend priority corrective actions and compliance schedules addressing point and nonpoint sources of pollution to restore and maintain the chemical, physical, and biological integrity of the Sanctuary, including restoration and maintenance of a balanced, indigenous population of corals, shellfish, fish and wildlife, and recreational activities in and on the water; and
  - (B) assign responsibilities for the implementation of the program among the Governor, the Secretary of Commerce, and the Administrator in accordance with applicable Federal and State laws.
- (2) The program required by paragraph (1) shall, under applicable Federal and State laws, provide for measures to achieve the purposes described under paragraph (1), including—

- (A) adoption or revision, under applicable Federal and State laws, by the State and the Administrator of applicable water quality standards for the Sanctuary, based on water quality criteria which may utilize biological monitoring or assessment methods, to assure protection and restoration of the water quality, coral reefs, and other living marine resources of the Sanctuary;
- (B) adoption under applicable Federal and State laws of enforceable pollution control measures (including water quality-based effluent limitations and best management practices) and methods to eliminate or reduce pollution from point and nonpoint sources;
- (C) establishment of a comprehensive water quality monitoring program to (i) determine the sources of pollution causing or contributing to existing or anticipated pollution problems in the Sanctuary, (ii) evaluate the effectiveness of efforts to reduce or eliminate those sources of pollution, and (iii) evaluate progress toward achieving and maintaining water quality standards and toward protecting and restoring the coral reefs and other living marine resources of the Sanctuary;

(D) provision of adequate opportunity for public participation in all aspects of developing and implementing the program; and

(E) identification of funding for implementation of the program, including appropriate Federal and State cost sharing arrangements.

(b) COMPLIANCE AND ENFORCEMENT.—The Administrator of the Environmental Protection Agency, the Secretary of Commerce, and the Governor of the State of Florida shall ensure compliance with the program required by this section, consistent with applicable Federal and State laws.

(c) CONSULTATION.—In the development and implementation of the program required by paragraph (1), appropriate State and local government officials shall be consulted.

(d) IMPLEMENTATION.—

(1) The Administrator of the Environmental Protection Agency and the Governor of the State of Florida shall implement the program required by this section, in cooperation with the Secretary of Commerce.

(2)(A) The Regional Administrator of the Environmental Protection Agency shall with the Governor of the State of Florida establish a Steering Committee to set guidance and policy for the development and implementation of such program. Membership shall include representatives of the Environmental Protection Agency, the National Park Service, the United States Fish and Wildlife Service, the Army Corps of Engineers, the National Oceanic and Atmospheric Administration, the Florida Department of Community Affairs, the Florida Department of Environmental Regulation, the South Florida Water Management District, and the Florida Keys Aqueduct Authority; three individuals in local government in the Florida Keys; and three citizens knowledgeable about such program.

(B) The Steering Committee shall, on a biennial basis, issue a report to Congress that—

(i) summarizes the progress of the program;

(ii) summarizes any modifications to the program and its recommended actions and plans; and

(iii) incorporates specific recommendations concerning the implementation of the program.

(C) The Administrator of the Environmental Protection Agency and the Administrator of the National Oceanic and Atmospheric Administration shall

cooperate with the Florida Department of Environmental Regulation to establish a Technical Advisory Committee to advise the Steering Committee and to assist in the design and prioritization of programs for scientific research and monitoring. The Technical Advisory Committee shall be composed of scientists from federal agencies, State agencies, academic institutions, private non-profit organizations, and knowledgeable citizens.

(3)(A) The Regional Administrator of the Environmental Protection Agency shall appoint a Florida Keys Liaison Officer. The Liaison Officer, who shall be located within the State of Florida, shall have the authority and staff to—

(i) assist and support the implementation of the program required by this section, including administrative and technical support for the Steering Committee and Technical Advisory Committee;

(ii) assist and support local, State, and Federal agencies in developing and implementing specific action plans designed to carry out such program;

(iii) coordinate the actions of the Environmental Protection Agency with other Federal agencies, including the National Oceanic and Atmospheric Administration and the National Park Service, and State and local authorities, in developing strategies to maintain, protect, and improve water quality in the Florida Keys;

(iv) collect and make available to the public publications, and other forms of information that the Steering Committee determines to be appropriate, related to the water quality in the vicinity of the Florida Keys; and

(v) provide for public review and comment on the program and implementing actions.

(4)(A) There are authorized to be appropriated to the Administrator of the Environmental Protection Agency \$2,000,000 for fiscal year 1993, \$3,000,000 for fiscal year 1994, and \$4,000,000 for fiscal year 1995, for the purpose of carrying out this section.

(B) There are authorized to be appropriated to the Secretary of Commerce \$300,000 for fiscal year 1993, \$400,000 for fiscal year 1994, and \$500,000 for fiscal year 1995, for the purpose of enabling the National Oceanic and Atmospheric Administration to carry out this section.

(C) Amounts appropriated under this paragraph shall remain available until expended.

(D) No more than 15 percent of the amount authorized to be appropriated under subparagraph (A) for any fiscal year may be expended in that fiscal year on administrative expense.

## **ADVISORY COUNCIL**

SEC. 9.(a) ESTABLISHMENT.—The Secretary of Commerce, in consultation with the Governor of the State of Florida and the Board of County Commissioners of Monroe County, Florida, shall establish an Advisory Council to assist the Secretary in the development and implementation of the comprehensive management plan for the Sanctuary.

(b) MEMBERSHIP.—Members of the Advisory Council may be appointed from among (1) Sanctuary managers, (2) members of other government agencies with overlapping management responsibilities for the Florida Keys marine environment, and (3) representatives of local industries, commercial users, conservation groups, the marine scientific and educational community, recreational user groups, or the general public.

(c) EXPENSES.—Members of the Advisory Council shall not be paid compensation for their service as members and shall not be reimbursed for actual and necessary traveling and subsistence expenses incurred by them in the performance of their duties as such members.

(d) ADMINISTRATION.—The Advisory Council shall elect a chairperson and may establish subcommittees, and adopt bylaws, rules, and such other administrative requirements and procedures as are necessary for the administration of its functions.

(e) STAFFING AND OTHER ASSISTANCE.—The Secretary of Commerce shall make available to the Advisory Council such staff, information, and administrative services and assistance as the Secretary of Commerce determines are reasonably required to enable the Advisory Council to carry out its functions.

## **AUTHORIZATION OF APPROPRIATIONS**

SEC. 10.(a) AUTHORIZATION FOR SECRETARY OF COMMERCE.—Section 313(2) (C) of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1444(2) (C)) is amended by striking “\$3,000,000” and inserting in lieu thereof “\$4,000,000.”

(b) AUTHORIZATION FOR EPA ADMINISTRATOR.—There are authorized to be appropriated to the Administrator of the Environmental Protection Agency \$750,000 for each of the fiscal years 1991 and 1992.

(c) REPORT.—The Secretary of Commerce shall, not later than March 1, 1991, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Merchant Marine and Fisheries of the House of Representatives a report



on the future requirements for funding the Sanctuary through fiscal year 1999 under title III of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 14321 et seq.).

Approved November 16, 1990.

formed. The plan should include a detailed discussion of the nature of the advisory role and how the committee will work with Center staff to accomplish program objectives. Program Operators have thirty (30) days to become fully operational after an award is made. Fully operational means that all staff is hired, all signs are up, all items of furniture and equipment are in place and operational, all stationery forms are developed and the Center is ready to open its doors to the public. Failure to have all staff on board within 30 days after award will result in a deduction of 10 points on the first semi-annual performance assessment report and may jeopardize continuation of the award (5 points);

- **Work Requirements Execution Plan**—The applicant will be evaluated on how it plans to execute the Work Requirements (including implementation timelines) and how effectively and efficiently all staff will be used. Applicants should include a description for using an intra and interstate approach, depending on the geographic service area, for accomplishing the work requirements contained in the FFO (5 points).

- **Appropriateness of Applicant Defined Service Area**—The applicant will be evaluated based on the following: the size of the minority population and density of MBEs with revenues of \$500,000 or rapid-growth potential in the applicant's defined service area. The presence of significant Federal and commercial contracting and financing opportunities, the size of the market, and the need for MBDA resources in the applicant's defined service area should also be discussed (5 points).

#### 4. Proposed Budget and Supporting Budget Narrative (20 Points)

The applicant's proposal will be evaluated on the following sub-criteria:

- Reasonableness, allowability and allocability of costs (5 points). MBDA anticipates that 75% of the funding level will be allocated to key staff, such as the Executive Director and senior business development persons.
- Proposed cost sharing of 30 percent is required and must be documented, including whether client fees for brokering will be charged and applied to the cost share. Applicants choosing to charge fees should set forth a fee schedule in their proposals (5 points).
- Performance-based Budget. Discuss how the budget is related to the accomplishment of the work requirements and the Performance measures. Provide a budget narrative

that clearly shows the connections (10 points).

- Non Federal cost sharing exceeding 30 percent that is related to additional staff (5) bonus points).

#### Intergovernmental Review

Applications under this program are not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

#### Limitation of Liability

Applicants are hereby given notice that funds have been appropriated for this program for Fiscal Year 2006; however, funds have not yet been appropriated for FY 2007. In no event will MBDA or the Department of Commerce be responsible for proposal preparation costs if this program fails to receive funding or is cancelled because of other agency priorities. Publication of this announcement does not oblige MBDA or the Department of Commerce to award any specific project or to obligate any available funds.

#### Universal Identifier

Applicants should be aware that they will be required to provide a Dun and Bradstreet Data Universal Numbering system (DUNS) number during the application process. See the June 27, 2003 (68 FR 38402) **Federal Register** notice for additional information. Organizations can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at 1-866-705-5711 or on Grants.gov Web site at <http://www.Grants.gov>.

#### Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of December 30, 2004 (69 FR 78389) are applicable to this solicitation.

#### Paperwork Reduction Act

This document contains collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The use of standard forms 424, 424A, 424B, SF-LLL, and CD-346 have been approved by OMB under the respective control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001.

Notwithstanding any other provisions of 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 Paperwork Reduction Act unless that

collection displays a currently valid OMB control Number.

#### Executive Order 12866

This notice has been determined to be not significant for purposes of E.O. 12866.

#### Administrative Procedure Act/Regulatory Flexibility Act

Prior notice for an opportunity for public comment are not required by the Administrative Procedure Act for rules concerning public property, loans, grant, benefits and contracts (5 U.S.C. 533(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 533 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.

Dated: February 3, 2006.

**Ronald N. Langston,**

*National Director, Minority Business Development Agency.*

[FR Doc. E6-1675 Filed 2-7-06; 8:45 am]

BILLING CODE 3510-21-P

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Paperwork Submissions Under the Coastal Zone Management Act Federal Consistency Requirements

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), DOC.

**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 collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments must be submitted on or before April 10, 2006.

**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](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or

copies of the information collection instrument and instructions should be directed to David Kaiser, 603-862-2719 or at [david.kaiser@noaa.gov](mailto:david.kaiser@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

A number of paperwork submissions are required by the Coastal Zone Management Act (CZMA), 16 U.S.C. 1456, and by NOAA to provide a reasonable, efficient and predictable means of complying with the CZMA requirements. The requirements are detailed in 15 CFR part 930. The information will be used by coastal states with federally-approved Coastal Zone Management Programs to determine if Federal agency activities, Federal license or permit activities, and Federal assistance activities that affect a state's coastal zone are consistent with the states' programs.

**II. Method of Collection**

Paper submissions are made following regulatory guidance.

**III. Data**

*OMB Number:* 0648-0411.

*Form Number:* None. Type of Review: Regular submission.

*Affected Public:* State, Local, or Tribal Government; individuals or households; business or other for-profit organizations; and Federal government.

*Estimated Number of Respondents:* 4,111.

*Estimated Time Per Response:* 8 hours for a State objection or concurrence letter for a consistency certification or determination; 4 hours for a State request for review of unlisted activities; 1 hour for public notice requirements for a project; 4 hours for a request for remedial action of a supplemental review; 1 hour for coordination of a listing notice; 2 hours for a request for Secretarial mediation; and 200 hours for an appeal. These are average estimates and burden can significantly vary based on the individual situation.

*Estimated Total Annual Burden Hours:* 20,535.

*Estimated Total Annual Cost to Public:* \$47,013.

**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: February 2, 2006.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. E6-1648 Filed 2-7-06; 8:45 am]

**BILLING CODE 3510-08-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**Proposed Information Collection; Comment Request; Northwest Region Federal Fisheries Permits**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), DOC.

**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 collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before April 10, 2006.

**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](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Kevin A. Ford, (206) 526-6115 or e-mail at [kevin.ford@noaa.gov](mailto:kevin.ford@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

NOAA Fisheries seeks comment on the renewal of permit information collections required to: (1) Renew and transfer of Pacific Coast Groundfish limited entry permits; (2) implement certain provisions of the sablefish permit stacking program as provided for

by Amendment 14 of the Pacific Coast Groundfish Fishery Management Plan; and (3) issue and fulfill the terms and conditions of exempted fishing permits (EFPs).

NOAA Fisheries, Northwest Region manages the Pacific Coast Groundfish Fishery in the Exclusive Economic Zone (EEZ) off Washington, Oregon, and California under the Pacific Coast Groundfish Fishery Management Plan. The regulations implementing the Pacific Groundfish Fishery require that those individuals participating in the limited entry fishery have a valid limited entry permit. The participation in the fishery and access to a limited entry permit has been restricted to control the overall harvest capacity.

Each year, permit owners are required to renew their permit by reviewing their current permit information, providing any updated information and certifying that the permit information is correct. Similarly, a permit owner is required to request a permit transfer in writing. Additional information may be requested from the permit owner to determine compliance with groundfish regulations. The regulations implementing the limited entry program are found at 50 CFR part 660, Subpart G.

Also, NOAA Fisheries will require information collections to implement sablefish permit stacking program which will allow NOAA Fisheries to prevent excessive fleet consolidation, ensure processor access to sablefish, and maintain the character of the fleet through an owner on board provision. These information collections will include both one time collections and annual information collections. Specifically, the annual information collections will require a corporation or partnership that owns a sablefish endorsed permit to list all individuals with ownership interests in the entity; and as part of a permit transfer, a certification by the permit owner to report the remaining pounds (not yet harvested) on a sablefish permit at the time of transfer.

Applicants for exempted fishing permit must submit written information that allows NOAA Fisheries to evaluate the exempted fishing activity and weigh the benefits and costs of the proposed activities. The information included in an application is specified at 50 CFR 600.745(b)(2). Permit holders are required to file reports on the results of the experiments and in some cases individual vessels are required to provide minimal data reports. There is also a requirement of a call-in notification prior to the fishing trip. This information allows NOAA fisheries