

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

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

07/21/2005

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a new information collection received on 06/08/2005.

TITLE: Northeast Region Sea Scallop Framework 17
Adjustment

AGENCY FORM NUMBER(S): None

ACTION : APPROVED WITHOUT CHANGE
OMB NO.: 0648-0529
EXPIRATION DATE: 07/31/2008

BURDEN:	RESPONSES	HOURS	COSTS(\$,000)
Previous	0	0	0
New	56,520	2,242	573
Difference	56,520	2,242	573
Program Change		2,242	573
Adjustment		0	0

TERMS OF CLEARANCE: None

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

PAPERWORK REDUCTION ACT SUBMISSION

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

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

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
NORTHEAST REGION SEA SCALLOP FRAMEWORK 17 REQUIREMENTS
OMB CONTROL NO.: 0648-xxxx

INTRODUCTION

This submission requests approval from the Office of Management and Budget (OMB) for Paperwork Reduction Act (PRA) clearance of the new collection as it pertains Framework 17 to the Atlantic Sea Scallop Fishery Management Plan (FMP) reporting requirements. These include a requirement that any vessel with a general category permit that possesses or lands more than 40 lb. of scallop meats (or 5 US bushels of in-shell scallops) for commercial sale in any trip to have a functional Vessel Monitoring System (VMS) onboard. In addition, requirements include notification to NMFS when the vessel is secured to a fixed dock or mooring, and prior to the start of a fishing trip.

A. JUSTIFICATION

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

Framework 17 extends the VMS reporting requirements of previous Scallop Fishery Management Plan (FMP) actions to include the general category vessels that possess or land more than 40 lb. of scallop meats (or 5 US bushels of in-shell scallops) for commercial sale in any trip. The VMS is required to be fully automatic and operational at all time, unless exempted under the power-down exemption criteria as specified below:

- General category vessels will be allowed to power down VMS after offloading and after vessel is secured to a fixed dock or mooring, unless required to keep VMS in operation by other regulations.
- VMS must be re-powered and logged in before leaving from a fixed dock or mooring.

For the purposes of the Paperwork Reduction Act, the following are the VMS requirements requested for approval for this action as they pertain to general category vessels that land more than 40 lb. of scallop meats (or 5 US bushels of in-shell scallops) on any trip:

- (1) Purchase and installation of a VMS unit;
- (2) Verification of installation of a VMS unit;
- (3) Notification and application for appropriate general category permit designation;
- (4) Notification to NMFS through VMS that the vessel is in port and out of fishing and the vessel is secured to a fixed dock or mooring; and
- (5) Notification to NMFS through VMS that the vessel has initiated a fishing trip.

These additional reporting requirements are necessary for NMFS to enhance monitoring and enforcement of the scallop possession limit for the general category fishery as follows:

- VMS monitoring for the general category vessels will enable enforcement officials to identify participants, their fishing activity, and scallop landings per trip.

- VMS is expected to deter illegal scallop landings because fishermen using VMS will know that the fishing activity is being monitored and potentially be boarded to monitor compliance. This in turn may reduce the risks of overfishing of the scallop resource due to violations.
- VMS implementation will also carry several other important secondary benefits. VMS on the most active scallop vessels will provide better data for fishery management, particularly for areas that are more frequently targeted by small vessels fishing in areas other than the typical scallop fishing areas.
- Transmission of location information through VMS could assist Coast Guard search and rescue operations by automatically tracking vessel position.
- Although continuous VMS position data on general category vessels would be preferable from enforcement perspective to prevent some vessels illegally powering down while they are fishing, such continuous coverage would impose hardships on many vessels in order to comply with the regulations. With the proposed action, the vessels would not have to rely on shore power or continuous battery power while in port, which may under some circumstances, be unavailable. Since no landings of scallops will be possible while the vessel in dock, the power down provision is not expected reduce the enforcement benefits from VMS as long as the proposed procedures for power-down exemption could be strictly enforced.

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.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. Several offices of NMFS, the U.S. Coast Guard and the Fishery Management Councils will utilize the information. Data collected through these programs will be incorporated into the NMFS database. Aggregated summaries of the collected information will be used to evaluate the management program and future management proposals. As explained in the preceding paragraphs, and in item #1 in particular, the information gathered has utility. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

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

This proposal uses improved, existing technology to reduce reporting burdens. The VMS unit is used to monitor fishing locations in the Atlantic Sea scallop fishery. This electronic system broadcasts the vessel's position on a random, periodic basis. VMS coverage will facilitate monitoring of the general category scallop fishery by enforcement agents and will increase effectiveness in monitoring the 400 lb. possession limit. VMS will also provide better data for fishery management, and for monitoring of area boundaries that are a part of rotational area management.

4. Describe efforts to identify duplication.

There is no duplication of effort to collect the information required by this PRA submission.

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

All of the vessels in the scallop fishery are considered small businesses. Only the minimum data needed to monitor compliance with regulations are requested from respondents. VMS is already required for full-time and part-time limited access scallop vessels and general category vessels that fish in special access areas. This action requires only those general category vessels that possess or land more than an incidental amount scallops (40 lb. or 5 bu) per trip to have a VMS onboard, while exempting a large number of vessels that are less likely to land scallops or to exceed the possession limit.

Any general category vessel could retain its permit without installing a VMS if they possess or land up to 40 lb. of scallops from each trip. Since most of the respondents are small businesses, separate requirements based on the size of business have not been developed.

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

Daily transmissions for each 30 minutes are required to accurately determine the fishing locations, thus to improve enforcement effectiveness and compliance with the general category possession limit. Therefore, if the collection is not conducted and is conducted less frequently, it may not be possible to accurately determine the fishing locations, which would reduce the enforcement's ability to monitor 400 lb. possession limit for general category scallop fishery.

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

The data collection is consistent with OMB guidelines. The VMS will be required for general category vessels in order to monitor compliance with the 400 lb. possession limit. Transmission of location information through VMS is necessary to improve enforcement's effectiveness in monitoring vessel offloads. As a way to determine that the vessel is in port and out of fishing, each vessel operator will be required to inform NMFS through the VMS macro code after vessel is secured to a fixed dock or mooring. VMS must be re-powered and logged in before leaving a fixed dock or mooring. These information requirements are necessary to make sure that the vessels do not fish undetected and exceed trip limit by simply turning off the VMS.

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.

The specific requirements of Framework 17 were developed during the period October 2004 through February 2005 and were discussed at two Scallop Oversight Committee meetings and two Council meetings. Opportunities for public comment were provided at each of these meetings; no comments were received. A proposed rule to be published in conjunction with this submission will also solicit public comment on these requirements.

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

No payment or gift will be made to respondents.

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

All data will be kept confidential as required by Section 402(b) of the Magnuson-Stevens Act, will be maintained in accordance with NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics, and will not be released for public use except in aggregate statistical form (and without identifying the source of data, i.e. vessel name, owner, etc.).

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.

There are no questions of a sensitive nature.

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

Table 4 summarizes the burden hours, number of respondents, and total burden of the VMS reporting requirements and VMS polling frequency. The burden hours are based on the number of participants expected in the general category sea scallop fishery.

A. Estimation of the number of participants:

Since vessels with the general category permits were previously not required to have a VMS unless they are participating in the Sea Scallop Area Access Program, the number of participants could not be estimated precisely. As Table 1 shows, the general category number of permits were over 2,200 since year 2000, and reached a peak with 2,554 permits in 2003. Only a small proportion of these vessels, about 9% to 13%, actually participated in the sea scallop fishery in the past. Table 2 summarizes the characteristics of the vessels with general category permits in terms of length and gross tonnage. Therefore, for purposes of calculating the burden to the public, it was assumed that the number of participants would equal to the maximum number of general category vessels that were active in the scallop fishery during the fishing years from 1994 to 2003 and will equal 331 vessels. Framework 17 requires general category vessels that possess or land more than 40 lb. scallop meats (or 5 US bushels of in-shell scallops) for commercial sale in any trip to have a VMS. As Table 2 shows, there were 276 vessels in 2003 that fit into this category, and 223 of them did not have a VMS. Therefore, to continue participating in scallop fishery at their present level of landings the 223 vessels will need to install a VMS with implementation of Framework 17. The number of general category vessels participating in the future years could vary from this number. Some vessels for which VMS

costs exceed their revenue from scallops may choose to lower their scallop landings to the incidental amount (40 lb.) per trip in order to retain their general category permit without having a VMS onboard. As a result, the number of participants could fall below 223 vessels estimated based on the 2003 fishing year activity. On the other hand, these vessels may also choose to install a VMS even though VMS costs might exceed what they earn from landing scallops. It is not possible to estimate the number of vessels that would likely to change their fishing behavior due to the requirement to install VMS. Therefore, for the purposes of this PRA analysis, the burden on public is calculated assuming that the number of participants will equal 223 vessels, as estimated from the most recent data for a completed fishing year (i.e., 2003 fishing year). However, one requirement would require all permitted vessels to respond (see item “C” below). Vessels are required to operate VMS during all fishing trips. Because general category vessels tend to be small vessels that usually take one-day trips, it was assumed that each vessel would take on the average 120 trips a year. This number provides the basis for calculating the burden to the public from VMS operating and notification requirements.

B. VMS purchase, installation, verification, and operation:

Vessel owners will be required to purchase new VMS units. The purchase cost of VMS units is included in Table 3 “VMS Equipment, Installation, and Service Costs.” Installation of the VMS will require the presence of the owner or his representative. The installation time is estimated to take one hour, for a total burden of 223 hours. Submission of proof of VMS installation (verification) is estimated at 5 minutes per submission, for a total burden of 18.60 hours. The estimated annual cost to respondents for the hour burden this collection assumes a respondent wage and overhead value of \$15/hour. Using this figure, the annualized cost to respondents would be approximately \$3,345.00 for the installation time and \$278.97 for the verification requirement totaling \$3,623.97.

The polling frequency for all vessels that have a VMS unit will be twice per hour. In addition, messaging capabilities allow vessels to communicate with service providers, NMFS, shore-side operations, and other vessels through VMS units. Because the VMS unit will automatically transmit the polling data, there is no time burden to the public from this requirement. There is a monetary cost, however, as discussed in item 13 below, for operating VMS at a flat monthly fee for both Boatracs and Skymate. These costs are included in Table 3 “VMS Equipment, Installation, and Service Costs.”

C. Notification and application for appropriate general category permit designation:

In order to administer and effectively enforce the new VMS requirement for general category vessels, vessel owners are required to designate whether they would be a VMS or Non-VMS vessel upon implementation of Framework 17. Initially, NMFS may assign a permit designation automatically based on records of vessels having VMS units installed and operational. This may reduce the burden on vessel owners associated with initial implementation of Framework 17. Otherwise, vessels will be issued a general category scallop permit of the appropriate designation based on an application submitted by vessel owners generally when permits are first issued or renewed. Vessel owners are required to make this designation on permit renewal forms each fishing year. Each of the 2,554 vessels would make this designation either initially or during permit application or renewal. The form or application to make this designation would take approximately 5 minutes to complete, for a total of 213 hr. The estimated annual cost to respondents for the hour burden this collection also assumes a respondent wage and overhead value of \$15/hour. Using this figure, the annualized cost to respondents would be \$3,195.00.

D. Power-down and trip start notifications:

There are two types of notifications required for general category vessels: (1) Notification to NMFS through VMS macro code that the vessel is in port and out of fishing and the vessel is secured to a fixed dock or mooring; (2) Notification to NMFS through VMS macro code for the day/time the vessel leaves its fixed dock or mooring.

Hour burdens and monetary costs from each of these notification requirements are itemized in Table 4. If 223 general category vessels participate in the program, and take 120 trips each year, they would need to send 26,760 electronic messages for each requirement. Assuming that each message takes about 2 minutes to transmit, total transmission time would be 893.78 hours for all 223 general category vessels from each notification requirement. The cost of time for these requirements for the public is zero because the messages are transmitted electronically. There is a monetary cost, however, as discussed in item 13 below for each message sent via VMS (\$.79 per message) and these costs are included in other costs in Table 5.

E. Summary of total burden costs to public under item 12:

Total burden in hours is 2,241.6 hours including installation and verification of VMS (223 hours + 18.6 hours), permit designation (212 hours), and two notification requirements (1,788 hours = 2*893.78 hours). Cost of time to the public from all these requirements, including VMS installation (\$3,345) and verification requirements (\$278.97), and permit designation requirements (\$3,179.73) total to \$6,524.73.

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).

All general category vessels that possess or land more than 40 lb. scallop meats (or 5 US bushels of in-shell scallops) for commercial sale in any trip must install an operational VMS aboard the vessel. The costs to the public from VMS requirements include the cost of the equipment, installation and monthly message costs. In addition, there are monetary costs associated with the VMS purchase, notification, electronic messaging, and permit designation.

A. Annualized capital and start-up costs:

The Regional Administrator must approve any VMS system selected for use. Currently, there are two different VMS units approved by NMFS for VMS operations, Skymate and Boatracs. It is assumed that these units would be operated at the standard polling of once per half hour, which is the same as the polling frequency for limited access scallop fleet. The initial investment costs for VMS, including the installation and activation are estimated in Table 3 as follows:

Boatracs: As shown in Table 3, the equipment costs for VMS range from \$3,295 for a standard unit. The VMS installation fee could vary among the dealers, but it usually costs \$180. There is no longer an activation fee for the monthly service. If the equipment and installation costs were paid over a 4-year period by borrowing at an interest rate of 12.75%, average annual costs for Boatracs will amount to \$1,116 per year.

Skymate: The cost of Skymate is \$1,188 plus the cost for a PC device, estimated to be about \$1,080.¹ VMS equipment and PC costs, including installation, will add up to an initial cost of

¹ The estimate for PC is based on a price of a laptop that meets the specifications recommended by Skymate. One such unit was a Compaq Presario Notebook with Mobile AMD Athlon™ XP-M Processor 3000 (Model: R3306US). This notebook actually exceeded the minimum requirements and was sold at Bestbuy for \$1,080.

\$2,768 (Table 3), including an installation fee of about \$500 per vessel. However, group training will be available for boat owners who would choose to install their own units and reduce their costs. If the equipment and installation costs were paid over a 4-year period by borrowing at an interest rate of 12.75%, average annual costs for Skymate would amount to about \$936 per year. Total costs could vary according to the prices and the fee for installation charged by each dealer. These costs could also vary because there could be discounts on the sale units if vessel owners buy more than one unit to be installed for the boats they own. The installation time for VMS units could also vary depending on the vessel. The prices for service and VMS units could also change according to the market conditions in the future.

If 223 vessels participate in the general category fishery landing more than 40 lb. of scallops in any single trip, thus install VMS, total annual costs for 3 years (duration of PRA approval before renewal is necessary) would amount to \$248,868 for Boatracs and \$208,728 for Skymate system (Table 3). These costs should be compared with the potential benefits from the regulations as will be discussed below.

B. Total operations, maintenance, and purchases of services component:

The primary costs after purchase and installation of a VMS is the charge for the messages that communicate the vessel's position. All vessels that have a VMS unit will be required to have the polling frequency an average of twice per hour. These costs are included in the monthly service charge, which varies according to the system chosen for operation, either Boatracs or Skymate system. There is no estimated maintenance charge for either system. Service costs are calculated in Table 3 as follows:

Boatracs: Monthly service costs are \$70, plus \$35 for double polling, totaling \$105 per month and \$1,260 per year assuming a 12-month operation of VMS.

Skymate: VMS services will entail a monthly service plan estimated at \$53.95 per month for double polling, or \$647 per year². This represents the least expensive plan as monthly service costs could go up to \$73.99 a month, or \$887.80 per year if the vessel chooses the Platinum plan recommended by the company. For vessels that remain at the dock and do not intend to participate in the fishery during some months, there is a “dry-dock” option at a cost of \$4.99 a month, during which the VMS unit would be turned off, but could be reactivated at any time without the \$149 activation fee.

Annual message costs to the public are summarized in Table 3. The total costs for the 223 general category vessels are estimated at \$280,980 a year for Boatracs and \$144,370 for Skymate system.

² Monthly costs for Skymate range from \$38.99 for Gold plan to \$73.99 for Platinum plan. Since hourly report adds up to 14,400 characters, 30 minute reporting will require at least 28,800 characters, exceeding the 20,000 characters that Gold plan offers by 8,800. Again, using \$1.70 extra for each additional 1000 characters, 8,800 characters will cost about \$14.96 a month. Adding this amount to the \$38.99 for the Gold plan, results in a \$53.95 monthly service charge for double polling (i.e., twice an hour).

Total costs for public for purchase and operation:

Table 4 shows the total costs to the public for purchase and operation of VMS including the polling costs. If 223 general category vessels install VMS, total costs would amount to \$529,848.00 for Boatracs and to \$353,098.20 for the Skymate system.

C. Verification:

Verification of the VMS installation must be provided to NMFS as part of the annual permit process. If the vessels did participate, the costs of providing proof of VMS installation is estimated at \$1 per response, for total cost of \$223, and this cost is included in Table 4 (Burden and cost estimates).

D. Permit designation:

Vessel owners would be required to submit a form or application to designate their vessel as a VMS or Non-VMS vessel. The form or application would need to be mailed to NMFS at a cost of \$0.37. For 2,554 respondents at \$0.37, total other costs would be \$944.98.

E. Power-down and trip notifications:

There are two types of notifications required from general category vessels: (1) Notification to NMFS through VMS macro code that the vessel is secured to a fixed dock or mooring; (2) Notification to NMFS through VMS macro code for the day/time the vessel has initiated a fishing trip.

Hour burdens and monetary costs from each of these notification requirements are itemized in Table 4. If 223 general category vessels participate in the program, and take 120 trips, they would need to send 26,760 electronic messages for each requirement, and would incur \$21,140.40 for each type of notification assuming that each message costs 79 cents. The cost of these two notification requirements totals \$42,280.80.

E. Summary and discussion of total costs:

Total costs include verification requirement (\$223), permit designation (\$944.98), VMS notification requirements (totaling \$42,280.80), and VMS purchase and service cost (\$529,848.00 for Boatracs, and \$353,098.20 for Skymate - Table 3) as explained above. Summing these costs results in a total monetary burden of \$573,296.78 per year for Boatracs, and \$396,546.98 for Skymate system as shown in Table 4. These costs do not include the cost of time to public that were included in item 12 above.

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

The NMFS Northeast Region currently operates a VMS system for the Atlantic Sea scallop fishery. The recurring costs amount to \$300,000 a year and include staff costs, internet connection, training, travel and the annual costs for equipment and the back-up system. These costs are not expected to increase with the VMS requirement for General Category vessels. Respondents will submit verification of VMS installation as part of the permitting process, and the Government will confirm receipt of proof through the review of permits. Costs associated with processing this verification are assumed to be insignificant when considering the current magnitude of the permitting program. Although all 2,554 vessels would be required to make a designation, initially NMFS anticipates that it can automate the designations based on vessel

owner's verification of VMS installation. A one time mailing to each of the designations would take approximately 2 hours of NMFS staff time for reviewing the information and preparing and mailing letters. The current standard government rate of \$25/hour applies, for a total cost of the initial designations of \$50. The cost to the government of reviewing annual designations would be included in the cost of permit renewals, estimated and approved under OMB #0648-0202, and has no additional cost associated with this submission.

A VMS system could potentially enable the Coast Guard to fully meet its fisheries program standards without additional resources. In addition, VMS coverage for general category vessels significantly improves the Coast Guard's ability to detect violators and respond with the appropriate action. It will augment cutter and aircraft patrols and allow them to be used to enforce other management measures. A VMS also makes boarding efforts more efficient, as it will help Coast Guard distribute boardings in a more equitable manner across all fleet sectors. Further discussion of additional benefits from VMS monitoring for the public and the Government in terms of improved compliance, enforcement and management is provided in item 1 above.

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

The new collection requirements for general category vessels, including VMS installation, notification and polling requirements, provide significant management information and enforcement tools for the implementation of Framework 17 proposed rules. New collection requirements will facilitate monitoring of the fishery by enforcement agents, which is essential for the success of the scallop management plan. The information will help to verify fishing locations and will improve monitoring of general category possession limit in all areas. The requirement to obtain a VMS unit to participate under general category permit will enhance enforcement's ability to ensure area rotation compliance and ensure the integrity of the scallop closed areas. VMS on the most active scallop vessels will provide better data for fishery management, particularly for areas that are more frequently targeted by small vessels fishing inshore of the typical scallop fishing areas. Better management of the scallop resource will, in turn, benefit the scallop industry. A more extensive discussion on the benefits of VMS monitoring is provided in item 1 above.

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

Results from this collection may be used in scientific, management, technical or general informational publications such as Fisheries of the United States, which follows prescribed statistical tabulations and summary table formats. Data are available to the general public on request in summary form only. Data are available to NMFS employees in detailed form on a need-to-know basis only.

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.

There are no reasons why display would be inappropriate.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-1.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are employed in the information collection procedures; the requirements are mandatory for participants in the Atlantic sea scallop fishery.

TABLES

Table 1. General Category Permits in the Sea Scallop Fishery.

Year	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Number of general category permits	1,960	2,067	1,984	1,993	1,930	2,074	2,247	2,293	2,493	2,554
Number of general category vessels landing scallops	194	181	217	241	207	194	208	285	299	331
Active vessels as a % of total permits	10%	9%	11%	12%	11%	9%	9%	12%	12%	13%

Table 2. Characteristic of the vessels with General Category permits that participated in the sea scallop fishery during the 2003 fishing year.

Data	Vessels that landed a maximum of 40 lb.. of scallops from any trip (No VMS required)	Vessels that landed over 40 lb.. of scallops from any trip (VMS required)	All active general category vessels
	Number of vessels	55	
Number of vessels that don't have a VMS	38	223	261
GRT (average)	71	65	66
Length (average)	60	57	57
Crew (average)	3	3	3
Scallop landings per trip (average)	16	280	276
Number of trips per vessel	2	21	18
Annual scallop landings per vessel (dealer's data)	29	5,893	4,919
Annual average scallop revenue per vessel (dealer's data)	134	27,369	22,843
Annual total revenue per vessel from scallop trips	8,115	39,415	34,214
Scallop revenue as a % of total revenue from scallop trips	1.7%	69.4%	66.7%
Annual scallop revenue as a % of total revenue from all trips	0.04%	13%	9.7%
Total average annual revenue per vessel	371,267	208,237	235,327
Total number of trips	101	5,802	5,903
Total scallop landings (dealer's data)	1,583	1,626,568	1,628,151
Scallop landings as % of total general category landings	0.1%	99.9%	100.0%

Table 3. VMS Equipment, Installation and Service Costs.

Costs	Standard Boatrac VMS Unit	Skymate plus PC
Initial Investment (one-time costs)		
Equipment	\$3,295.00	\$2,268.00
Installation	\$180.00	\$500.00
Activation fee	\$0.00	\$149.00
Total one-time costs	\$3,475.00	\$2,917.00
Ongoing costs		
Monthly service costs	\$105.00	\$53.95
Annual service costs (2006 on)	\$1,260.00	\$647.40
Total message costs for all participants (223 vessels)	\$280,980.00	\$144,370.20
Total equipment costs for all participants (223 vessels) *	\$248,868.00	\$208,728.00
Total costs for all participants (223 vessels)	\$529,848.00	\$353,098.20

* Annual cost of VMS equipment for 3 years

Table 4. Burden and Cost estimates for the Public and Government

Requirement	Number of Entities	Items per Entity	Total Number of Items	Response Time	Total Burden	Cost of Time to Public (1)	Other Costs to Public (2)(3)	Total costs to Government
Vessel Monitoring System								
(1) Installation	223	1	223	1	223.00	\$3,345.00		NA
(2) Verification requirement	223	1	223	0.0834	18.60	\$278.97	\$223	NA
(3) Purchase (Capital/Startup cost)								
Boatracs	223						\$248,868.00	NA
Skymate	223						\$208,728.00	NA
(4) Operation								
Boatracs	223						\$280,980.00	NA
Skymate	223						\$144,370.00	NA
(5) Total Purchase and Operation								
Boatracs	223						\$529,848.00	NA
Skymate	223						\$353,098.20	NA
(6) Permit designation	2,554	1	2,554	0.0834	213.00	\$3,195.00	\$944.98	\$50.00
(7) VMS power-down notification	223	120	26,760	0.0334	893.78		\$21,140.40	NA
(8) VMS repowering: Notification prior to leaving port	223	120	26,760	0.0334	893.78		\$21,140.40	NA
(9) Total Notificaton requirements (7)+(8)	223		53,520		1,788		\$42,280.80	NA
Total=(1)+(2)+(5)+(6)+(9)								
Boatracs			56,520		2,242.16	\$6,818.97	\$573,296.78	\$50.00
Skymate			56,520		2,242.16	\$6,818.97	\$396,546.98	\$50.00

Table 5. Costs to the Government from VMS Monitoring.

Costs	VMS Monitoring Annual Costs
Salary and Benefits (1)	\$230,000
Internet Connection (2)	\$7,500
Equipment (3)	\$20,000
Back-up System (4)	\$38,960
Software Licensing	\$3,500
Supplies (5)	\$11,000
Training and travel	\$8,000
Total Ongoing Costs	\$300,000

Source: Data supplied by NMFS, Office of Enforcement, Northeast Regional Center, and NMFS Headquarters

1. Salary and benefits, three program support personnel.
2. 24-hour maintenance of secure Internet node at Gloucester, MA.
3. Lease and maintenance contract on CPU and monitor.
4. Lease and maintenance contract on CPU and monitor
5. Optical storage disks, repairs and supplies associated with non-lease equipment (modem, router, printer, thermal paper, WORM drive).