

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

06/23/2006

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for the extension of approval of an information collection received on 04/19/2006.

TITLE: International Billfish Angler Survey

AGENCY FORM NUMBER(S): 88-10

ACTION : APPROVED WITHOUT CHANGE

OMB NO.: 0648-0020

EXPIRATION DATE: 06/30/2009

BURDEN:	RESPONSES	HOURS	COSTS(\$,000)
Previous	1,250	104	0
New	1,500	125	0
Difference	250	21	0
Program Change		0	0
Adjustment		21	0

TERMS OF CLEARANCE: None

NOTE: The agency is required to display the OMB control number and inform respondents of its legal significance (see 5 CFR 1320.5(b)).

---

OMB Authorizing Official Title

John F. Morrall III Acting Deputy Administrator, Office of  
Information and Regulatory Affairs

---

# PAPERWORK REDUCTION ACT SUBMISSION

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

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

## 19. Certification for Paperwork Reduction Act Submissions

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

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

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

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

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

Signature of Senior Official or designee

Date

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

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT  
INTERNATIONAL BILLFISH ANGLER SURVEY  
OMB CONTROL NO.: 0648-0020**

**A. JUSTIFICATION**

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

This Angler Survey began in 1969 and is an integral part of the Billfish Research Program at the Southwest Fishery Science Center (SWFSC). The Angler Survey tracks recreational angler fishing catch and effort for billfish in the Pacific and Indian Oceans (hence the change from the original title, "Pacific Billfish Angler Survey"). The data are used by scientists and fishery managers to assist with assessing the status of billfish stocks. This Angler Survey is intended for anglers cooperating in the Billfish Program and is entirely voluntary. The National Marine Fisheries Service (NMFS) collects fishing catch and effort information for most domestic and foreign fisheries. This Angler Survey is specific to recreational anglers fishing for Istiophorid billfish in the Pacific and Indian Oceans; as such it provides the only estimates of catch per unit of effort (CPUE) for recreational billfish fishing in those areas.

**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 applicable NOAA Information Quality Guidelines.**

This post card survey is conducted annually to track CPUE trends in the recreational fishery for Istiophorid billfish. The Angler Survey form asks for the number of fishing days the angler expended, number and kind of billfish caught and the location fished in the preceding year. Data from this Angler Survey is utilized by fishery biologists investigating the health and stock condition of billfish resources throughout the Pacific and Indian Oceans. Specifically these data are used to track changing trends in recreational fishing effort in key areas throughout the Pacific and Indian Oceans. Results are produced as in-house data reports, published in peer reviewed scientific journals, in the Billfish Newsletter and elsewhere as appropriate. The Billfish Newsletter is an annual publication providing a summary of the Angler Survey and other Program results to the billfish angling community and is the primary outreach instrument to Program participants. Current and past issues of the Billfish Newsletter are available on the SWFSC's home page (<http://swfsc.ucsd.edu>).

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

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

Collection of Angler Survey data does not utilize electronic or automated technology at this time. Survey forms (post cards) are sent to participants in December of each year. Cards are entered into a data base as received. We are currently investigating use of optical character readers and placing the Angler Survey post card form on the SWFSC's home web page in web server form. Results from the Angler Survey are tabulated and summarized each year and published in the Billfish Newsletter, which is available online at the SWFSC website.

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

The SWFSC's Angler Survey is the only study tracking billfish angling CPUE by domestic and international anglers in the Pacific and Indian Oceans. The Angler Survey is unique to the billfish angling community and is duplicated nowhere.

The National Marine Fisheries collects fishing effort data for most commercial and recreational fisheries. The Marine Recreational Fishery Statistics Survey (MRFSS) conducts telephone and dock survey data to track general recreational fishing effort within the U.S. The MRFSS does not identify fishing effort for the large, migratory billfish (Istiophorid) throughout the Pacific and Indian Oceans. There are no known foreign agencies duplicating this effort. The SWFSC staff attend billfish related research conferences where knowledge about similar, repetitive surveys would be available, if there were any.

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

The Survey deals with individual anglers cooperating in the Angler Survey and does not impact any business entity.

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

Results of the Angler Survey are used by fishery research biologists at the SWFSC in determining the status of billfish stocks, biomass and trends in CPUE. This information is provided to fishery managers at the Fishery Management Councils and used in determining regulatory options. A break or disruption in the Angler Survey time line would jeopardize the SWFSC's ability to provide accurate management advice and recommendations to domestic fishery managers and to the State Department dealing with international fishery treaties.

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

This Survey is consistent with all 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 copy of the PRA Federal Register, dated December 19, 2005 (Vol. 70, No. 242) is attached. One comment was received from the notice in the Federal Register, although the comment addressed the status of billfish, and not the estimated cost and burden of the Survey. Additional angler comments concerning the Angler Survey are requested annually in the Billfish Newsletter. No additional comments were received in 2005.

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

Response to the Angler Survey is completely voluntary. No rewards or offerings of any kind are available or offered to the respondents.

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

Angler Survey data and results are not confidential.

**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.**

This angler Survey is entirely a recreational fishing query to determine angler catch and effort. There are no "sensitive" questions.

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

The burden to complete the Angler Survey respondent card is about 5 minutes per response. Although our active mailing list varies from 2,000 to 2,800 participants, the total number of respondents to the Angler Survey averages 1,050 to 1,600. The estimate of 1,500 respondents is based on results over the last 3 years. Total annual burden is then estimated at 125 hours (1500 x 5/60 = 125). Also see Section B, Number 1.

**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).**

Postage is paid by the SWFSC if mailed from within the U.S. For those respondents mailing from foreign countries, there is only the cost of foreign postage, and that is estimated at US\$2.50 or less based on 2006 postage rates from the 8 foreign countries with the most survey

respondents (i.e. countries with more than 5 respondents in the last 3 years).

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

Annual cost to conduct the Survey is approximately \$2,500. This includes printing, postage, and return postage when mailed in the US. This figure is based on actual expenses averaged over the last two years. Less clear is the in-house cost of staff (1 GS-9 and 1 GS-12) to order the printing, print the mailing labels, and mail the post cards, but 32 to 40 staff hours are estimated necessary to complete the mail out. Not included is staff time to enter respondent data into the data base, analyze data, report results in-house, prepare various manuscripts, prepare the Billfish Newsletter and respond to the Paperwork Reduction Act requirements.

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

The adjustment change to burden occurred due to re-estimation of the number of respondents.

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

The Angler Survey is conducted on a calendar year with completion scheduled by May of the following year. The Billfish Newsletter is the outreach method by which the SWFSC provides feedback to the recreational fishing community and is written for cooperating anglers participating in the Angler Survey and for the volunteers who conduct tag and release fishing for billfish. Content varies annually but always includes angling effort by area and species captured, reported catches, results from billfish tagging and general interest articles directed to the billfish angler. This peer reviewed newsletter is approved for release by the SWFSC's Director. More robust analyses are conducted in support of fishery management and are reported in in-house reports, peer reviewed scientific publications, and in Fishery Management Plans.

**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.**

The expiration date will be displayed.

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

None.

**SECTION 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.**

The potential respondent universe includes foreign and domestic billfish anglers participating in the SWFSC's Billfish Tagging Program. Also included in the respondent base are institutions and non-government organizations (NGOs) interested in the program but who generally do not fish. To be placed on the Angler Survey mailing list the angler (or institution) must either 1) contact the SWFSC and request to be placed on the mailing list or 2) be a participating tagger in the Billfish Tagging Program.

Potential respondents become aware of the program by: 1) word of mouth, 2) catching a tagged fish, 3) addition to the Billfish newsletter mailing list due to membership in one of the major angling clubs operating in the Pacific or 4) reading about the American Fishing Tackle Company tagging competition at <http://www.aftco.com/tagflag.html>, at which the tagging program is described. The NMFS Billfish Tagging Program is widely known in the Pacific, having operated for roughly 30 years.

The primary survey targeted respondent base is the U.S. billfish angler fishing in U.S. or U.S.-adjacent waters, including Trust Territories in the South and Western Pacific. The Angler Survey also queries foreign billfish anglers fishing in Central and South American countries, New Zealand, Australia and several Asian countries. These foreign anglers have a much lower response rate than U.S. anglers. The total respondent universe for 2002 to 2004 ranged from 2,045 to 2,243 and averaged 2,138. Of those, about 9% of the surveys were mailed to foreign anglers. However of the respondents, only about 4% were received from foreign anglers. We received an average of 1,528 total responses or about 70% of the respondent universe (75% response rate for U.S. anglers and 32% response rate for foreign anglers).

**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.**

This annual billfish Angler Survey is sent to all billfish anglers and taggers that have participated in the SWFSC's billfish research programs during the prior two year period. All are encouraged to complete and return the Survey card. Statistical analysis of regional fishing CPUE is robust in regions reporting greater than 100 days fishing effort. Those regions reporting less than 100 days of fishing effort are acceptable when indicating a consistent trend over time. These statistical procedures are generally very accurate as they include parameters of central tendency and variability statistics. More robust statistics are employed to analyze long term trends in CPUE which include multiple regression and correlation with regional fishery, economic and environmental factors. These analyses are utilized by fishery biologists and managers in determining changes in the status of fishery resources and by the Pacific Fishery Management Council in support of regulatory options. Any reduced effort (less frequent than annual) would compromise the 34-year time series resulting in reduced ability to provide robust analyses as

mandated.

**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.**

All individual anglers participating in the SWFSC's Billfish Tagging Program are encouraged to complete the Survey card through the Billfish Newsletter and by SWFSC staff working directly with individuals, sport fishing clubs and other organizations. The response rate for U.S. anglers is very good but the response rate from foreign anglers fishing in small or remote countries is not as good as we would like. Those countries reporting less than 100 days of fishing effort per year are analyzed with the understanding that small sample sizes result in higher variability.

**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.**

Tests to refine the collection protocol have not been conducted because of limited funding and staff. The survey results do indicate some refinements could improve the response rates, particularly for foreign and institutional respondents. For example, as described above, although 9% of the survey forms are sent to foreign anglers, only 4% of those returned are from foreign anglers. If time and funding permit, we will pursue establishing a web based form to see if response rates improve.

**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.**

The Project Leader is Dr. Suzanne Kohin, Research Fishery Biologist (858.546.7104).  
The Division Chief is Dr. Roger Hewitt (858.546.7128).

**U.S. DEPARTMENT OF COMMERCE**  
NATIONAL OCEANIC AND  
ATMOSPHERIC ADMINISTRATION  
NATIONAL MARINE FISHERIES SERVICE  
  
OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE. \$300



NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

**BUSINESS REPLY MAIL**  
FIRST-CLASS MAIL PERMIT NO. 99133 WASHINGTON DC



**NATIONAL MARINE FISHERIES SERVICE NOAA**  
**SOUTHWEST FISHERIES SCIENCE CENTER**  
**8604 LA JOLLA SHORES DRIVE**  
**LA JOLLA CA 92037-1508**  
**USA**



**PACIFIC-INDIAN OCEAN INTERNATIONAL BILLFISH ANGLING SURVEY  
FOR 2006 ONLY**

**BILLFISH ANGLERS:** This survey to determine the trend in recreational fishing in the Pacific Ocean has been conducted annually since 1969. The survey is in cooperation with the International Game Fish Association. Your response will enable us to determine average catch rates of specific billfish in the areas indicated on the other side of this card. Accurate records are needed to determine the effect heavy fishing on billfish resources is having on the anglers catch. Response is voluntary.

For each angler that fished for billfish in 2006 we request that you individually, and as accurately as possible, indicate the number of days you fished for billfish during the calendar year of 2006 and the number of billfish caught by species. **Fish tagged and/or released are counted as caught.** If you fished but were unsuccessful, it is still important to indicate the number of actual days fished.

The U.S. Government requires that all mailing lists be revised annually. If you did not fish but would like to remain on the mailing list, complete the address portion at the bottom of this card and return. If you do not return the card, your name will be removed from our mailing list. Your cooperation is requested, and by completing the address portion you will be advised on the survey results. **Please return by MARCH 2007.** Postage is not required if mailed in the USA.

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.  
Please send all comments regarding this burden estimate or any other suggestions for reducing this reporting burden to Suzanne Kohin, PH: (858)546-7104 or [suzanne.kohin@noaa.gov](mailto:suzanne.kohin@noaa.gov)  
Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

U.S. DEPARTMENT OF COMMERCE  
NATIONAL OCEANIC AND  
ATMOSPHERIC ADMINISTRATION  
NATIONAL MARINE FISHERIES SERVICE  
SOUTHWEST FISHERIES SCIENCE CENTER  
8604 LA JOLLA SHORES DRIVE  
LA JOLLA, CALIFORNIA 92037  
OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE. \$300

## ATTENTION

Greetings billfish anglers! Please complete the attached *Billfish Angler Survey* for 2006 and return as soon as possible. The results will be summarized for the next issue of the *Billfish Newsletter* which is currently being compiled.

Remember that one form should be filled out per angler - if another copy is required, the enclosed form may be photocopied. If your name or address differs from what is on the mail label, please indicate the change in the space provided. When you are finished filling out the survey form, simply fold it in thirds so that the "NATIONAL MARINE FISHERIES SERVICE - NOAA" address is on the outside, staple or tape it closed, and drop it in the mail - postage is paid in the USA.

Thank you for your support.

Smooth seas and good fishing,

Suzanne Kohin, Fisheries Biologist  
 Randall C. Rasmussen, Computer Specialist

### PACIFIC-INDIAN OCEAN INTERNATIONAL BILLFISH ANGLING SURVEY FOR BILLFISH CAUGHT IN CALENDAR YEAR 2006

NOAA FORM 88-10  
 12/18/04  
 National Marine Fisheries Service  
 Southwest Fisheries Science Center, La Jolla

OMB Control No.: 0648-0020  
 Expiration: 06/30/2006

In cooperation with International Game Fish Association  
 and other government and civilian organizations

LOCATION	1. HOW MANY DAYS YOU FISHED FOR BILLFISH DURING 2006	2. TOTAL NUMBER BILLFISH CAUGHT DURING 2006					
		BLUE MARLIN	BLACK MARLIN	STRIPED MARLIN	SAILFISH	SHORTBILLED SPEARFISH	SWORDFISH
SOUTHERN CALIFORNIA							
BAJA CALIFORNIA							
GUAYMAS							
MAZATLAN							
PUERTO VALLARTA							
MANZANILLO							
ACAPULCO							
GUATEMALA							
COSTA RICA							
PANAMA							
COLOMBIA							
HAWAIIAN ISLANDS							
TAHITI							
FIJI							
KIRIBATI							
MARSHALL ISLANDS							
MIDWAY ISLAND							
NEW ZEALAND							
NEW GUINEA							
AUSTRALIA							
JAPAN							
MALDIVE ISLANDS							
KENYA							
DUBAI U.A.E.							
OTHER							
OTHER							
OTHER							

*Please Fill This Out*

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_ City/Town: \_\_\_\_\_

Country/State: \_\_\_\_\_ ZIP or Mailing Code: \_\_\_\_\_

**Sec. 760e. Study of migratory game fish; waters; research; purpose**

The Secretary of Commerce is directed to undertake a comprehensive continuing study of the migratory marine fish of interest to recreational fishermen of the United States, including species inhabiting the offshore waters of the United States and species which migrate through or spend a part of their lives in the inshore waters of the United States. The study shall include, but not be limited to, research on migrations, identity of stocks, growth rates, mortality rates, variations in survival, environmental influences, both natural and artificial, including pollution, and effects of fishing on the species, for the purpose of developing wise conservation policies and constructive management activities.

# Magnuson-Stevens Fishery Conservation and Management Act

## Public Law 94-265

As amended through October 11, 1996

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

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

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

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

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

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

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

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

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

(4) assess and specify--

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) minimize bycatch; and

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

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

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

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

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

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

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

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

(B) the operator of any such vessel; or

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

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

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

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

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



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

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

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

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

(A) present participation in the fishery,

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

(C) the economics of the fishery,

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

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

(F) any other relevant considerations;

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

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

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

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

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

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

**97-453, 104-297**

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

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

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

*Estimated Number of Respondents:* 2,670.  
*Estimated Time Per Response:* 3 to 15 minutes per function.  
*Estimated Total Annual Burden Hours:* 5,473.  
*Estimated Total Annual Cost to Public:* \$0.

#### 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: December 13, 2005.

#### Gwellnar Banks,

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

[FR Doc. E5-7467 Filed 12-16-05; 8:45 am]

BILLING CODE 3510-21-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Pacific Billfish Angler Survey

**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 February 17, 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 Holts, Southwest Fishery Science Center, 8604 La Jolla Shores Drive, La Jolla, CA 92037-1508 (phone 858-546-7186 or [David.Holts@noaa.gov](mailto:David.Holts@noaa.gov)).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The Billfish Angler Survey provides the only estimates of billfish angling activities in the Pacific and Indian Oceans. This collection of recreational billfish catch and effort data began in 1969 and now provides a 37 year index of fishing success in many areas of the Pacific. The catch per unit of effort (CPUE) is measured in catch of billfish per angler fishing day. This time series of angler success provides a measure of relative abundance and is the only survey independent of commercial fisheries in the Pacific. Trends tracked over time indicate changes in the health and size of billfish stocks. This index of relative abundance is an important component of stock assessments, developing management options and monitoring domestic and international fishery interactions.

##### II. Method of Collection

A paper form the size of a postcard is used.

##### III. Data

*OMB Number:* 0648-0020.

*Form Number:* NOAA Form 88-162.

*Type of Review:* Regular submission.

*Affected Public:* Individuals or households.

*Estimated Number of Respondents:* 1,500.

*Estimated Time Per Response:* 5 minutes.

*Estimated Total Annual Burden Hours:* 125.

*Estimated Total Annual Cost to Public:* \$0.

##### 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: December 13, 2005.

#### Gwellnar Banks,

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

[FR Doc. E5-7468 Filed 12-16-05; 8:45 am]

BILLING CODE 3510-22-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Highly Migratory Species Tournament Reporting

**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 February 17, 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 Margo Schulze-Haugen, Chief, Highly Migratory Species Management Division (F/SF1), Office of Sustainable Fisheries, National Marine Fisheries Service (NMFS), 1315 East-West Highway, Silver Spring, MD 20910 (301-713-2347 or [Margo.Schulze-Haugen@noaa.gov](mailto:Margo.Schulze-Haugen@noaa.gov)).

**SUPPLEMENTARY INFORMATION:**