

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 12/14/2007

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 12/06/2007

ACTION REQUESTED: New collection (Request for a new OMB Control Number)  
TYPE OF REVIEW REQUESTED: Regular  
ICR REFERENCE NUMBER: 200712-0648-001  
AGENCY ICR TRACKING NUMBER:  
TITLE: Expanded Vessel Monitoring System Requirement in the Pacific Coast Groundfish Fishery  
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change  
OMB CONTROL NUMBER: 0648-0573  
The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 12/31/2010 DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	0	0	0
New	18,096,355	38,336	3,546,466
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	18,096,355	38,336	3,546,466
Change due to Agency Adjustment	0	0	0
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: Kevin F. Neyland  
Deputy Administrator,  
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
VMS purchase, installation, maintenance and activation checklist	NA	Activation instructions, form and worksheet	
VMS Hourly Reports			50 CFR 660.302
VMS Exemption Reports			50 CFR 660.302
VMS Declaration Reports			50 CFR 600.302

# 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
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) ( <i>if applicable</i> )	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	10. Abstract
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

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

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

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

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

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

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

**SUPPORTING STATEMENT  
EXPANDED VESSEL MONITORING SYSTEM REQUIREMENT  
IN THE PACIFIC COAST GROUND FISH FISHERY  
OMB CONTROL NO.: 0648-**

**A. JUSTIFICATION**

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

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

Seven groundfish stocks are currently considered to be overfished<sup>1</sup>: widow rockfish, bocaccio, darkblotched rockfish, cowcod, canary rockfish, POP, and yelloweye rockfish. Measures have been taken to protect the overfished stocks and to rebuild them to sustainable biomass<sup>2</sup> levels. Large-scale depth-based management areas, referred to as Groundfish Conservation Areas (GCAs), are used to prohibit or restrict commercial groundfish fishing. These areas were specifically designed to reduce the catch of overfished species while allowing healthy fisheries to continue in areas and with gears where little incidental catch of overfished species is likely to occur.

GCAs are defined by points of latitude and longitude. The rockfish conservation areas (RCAs) are a sub-group of GCAs that are defined by points that approximate fathom curves for depth ranges where overfished rockfish species are commonly found. Deep-water fisheries between these points have been permitted in areas seaward of the RCAs, and nearshore fisheries have been permitted in areas shoreward of the RCAs. Vessels intending to fish in the deep-water slope fisheries are allowed to transit through the RCAs, providing their gear is properly stowed. Target fisheries with relatively low catch rates of overfished species, such as midwater trawling for pelagic species and pink shrimp trawling with finfish excluders, have been allowed to occur in the RCAs. Various state-managed fisheries where groundfish are incidentally taken also occur in the RCA; however, groundfish retention is restricted or prohibited within the RCAs.

In 2006, NMFS is implementing additional closed area restrictions to protect bottom habitat from fishing gear impacts, as mandated by the Magnuson-Stevens Act. These areas are referred to as

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<sup>1</sup> In December 2005, NMFS announced, in the **Federal Register**, that the coastwide lingcod stock is no longer considered overfished and is fully rebuilt (December 19, 2005; 70 FR 75115).

<sup>2</sup> In this context, biomass refers to the cumulation of living matter: the total living biological material in a given area or of a biological community or group.

Essential Fish Habitat (EFH) conservation areas. Like GCAs and RCAs, the EFH conservation areas will be defined by points of latitude and longitude.

Traditional enforcement methods (such as aerial surveillance, boarding at sea via patrol boats, landing inspections and documentary investigation) are especially difficult to use when the closed areas are large-scale and the lines defining the areas are irregular. Furthermore, when management measures allow some gear types and target fishing in all or a portion of the conservation area, while other fishing activities are prohibited, it is difficult and costly to effectively enforce closures using traditional methods. Scarce state and federal resources also limit the extent to which traditional enforcement methods can be used effectively.

To ensure the integrity of the GCAs and RCAs, a pilot Vessel Monitoring System (VMS) program was implemented on January 1, 2004 (OMB Control No. 0648-0478). The pilot program required vessels registered to Pacific Coast groundfish fishery limited entry (LE) permits to carry and use VMS transceiver units while fishing off the coasts of Washington, Oregon and California. The VMS program is being expanded on January 1, 2007, to include all Open Area fisheries in addition to the limited entry fisheries. Expanding coverage of the VMS program is expected to enhance state and federal enforcement's ability to monitor vessel compliance with GCAs, RCAs, and EFH conservation areas. This new information collection request, to require participation in the VMS monitoring program for open access vessels, will be merged with OMB Control No. 0648-0478, Vessel Monitoring Program for the Pacific Groundfish Fishery, as soon as practicable.

To support the VMS monitoring program, the following information must be submitted to NMFS: 1) VMS transceiver installation/activation certification reports, 2) hourly position reports, 3) exemption reports, and 4) declaration reports.

Installation/activation certification reports require vessel owners and operators to follow specific procedures when installing or re-installing a VMS transceiver unit. Upon activation the VMS installer must complete, sign, and return the certification form to NMFS. The form contains information on the VMS hardware and satellite communications services that are provided by private communications companies approved by NMFS.

Hourly position reports are automatically transmitted to NMFS via satellite once the VMS transceiver unit is installed and activated. Vessels that are required to have VMS must operate the mobile transceiver unit continuously 24 hours a day throughout the fishing year, except when a valid exemption report has been received by NMFS. The number of annual transmissions depends on the VMS transceiver that the vessel owner purchases and the number of fishing days per year in waters off the west coast. Many of the systems have a sleep function that automatically reduces the transmission reports when a vessel is in port. The sleep function allows for port stays without significant power drain or power shutdown. When the vessel goes to sea, the unit restarts and normal position transmissions automatically resume. Because the unit is continuously operable, NMFS may query the unit at any time to obtain a position report.

Exemption reports are optional. The exemption reports are sent by the vessel owner or operator when they want their vessel to be excused from the requirement to operate the mobile transceiver unit continuously 24 hours a day throughout the fishing year. Such exemptions are only allowed for:

vessels operating outside of the EEZ for more than 7 consecutive days, vessels that are continuously out of the water for more than 7 consecutive days, vessels that transfer the limited entry permit from the vessel and do not engage in any fishing of the west coast for the remainder of the year, vessels that depart the open access fishery for an extended period after the end of the fishing year, and for vessels that have had an emergency situation that resulted in vessel damage such as fire, flooding or other extensive physical damage that would require the VMS or power source to be disconnected. A vessel may be exempted from the requirement to operate the mobile transceiver unit continuously 24 hours a day if a valid exemption report, is received by NMFS, Office for Law Enforcement (OLE) and the vessel is in compliance with all conditions and requirements of the exemption. An exemption report is valid until a second exemption report is sent to cancel the existing exemption.

Declaration reports Declaration reports are submitted to NMFS OLE by telephone and are valid until revised by the vessel operator. Vessel operators making declaration reports receive a confirmation number that verifies that the reporting requirements were satisfied. After a vessel has made a declaration report to NMFS and has been confirmed for a specific gear category, it cannot fish with any gear other than a gear type that has been declared for the vessel. If a vessel operator intends to use the vessel to fish in a different fishing category, a new declaration report must be submitted to revise the old declaration report.

**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.**

Installation/activation certification reports are used by NMFS OLE to confirm that a type-approved VMS unit was installed according to the prescribed procedures and that service has been arranged with an approved communications service provider. Activating the unit and requiring confirmation from NMFS OLE that automatic position reports are being received without error ensures the integrity of the monitoring program. Each VMS transceiver unit has a unique transmission signal that needs to be linked with a specific vessel for processing position reports.

Vessels registered to limited entry permits are required to have contact information on file with NMFS. However, vessels participating in the open access fisheries do not have federal permits. Therefore it is necessary to collect contact information from open access fishers. Having contact information is necessary to provide confirmation and in the event that there are problems with the VMS reports. If there are transmission problems, NMFS will need to have ready access to contact information and installation information. NMFS can then apply troubleshooting techniques and as necessary, contact the vessel operator and discern whether the problem is associated with the transmitting hardware or the service provider.

Vessel owners are required to provide these reports following initial installation and after a re-installation or when the hardware or communications service provider changes. A vessel is expected to submit a report the first time it participates in a fishery where VMS is required. Because the service life of a VMS unit is approximately 4 years, respondents are expected to submit 1 report every 4 years.



Hourly position reports will be used by NMFS to maintain the integrity of large geographical areas where fishing activities are restricted. On a broad level, the VMS vessel location reports are a cost effective tool used to facilitate enforcement of time/area closures in the fishery. The hourly position reports, are transmitted 24 hours per day throughout the fishing year (note: that some type-approved models have a sleep mode that automatically reduces the transmissions after an extended period of inactivity and resumes transmission when the vessel moves) and provide NMFS and USCG with real-time vessel location and activity information. Position information will also be used by NMFS fishery managers to evaluate fishing effort and determine whether further management measures are needed to protect low abundance species.

Exemption reports are sent by the vessel owner or operator when they want their vessel to be excused from the requirement to operate the mobile transceiver unit continuously 24 hours a day throughout the fishing year. Exemption reports are optional. The exemption reports allow flexibility to the industry participants while providing NMFS OLE with the information needed to determine why a position report is not being received from the vessel. Approximately 500 vessels are projected to send 2 exemption reports each per year.

Declaration reports are used by NMFS OLE to identify the fisher's intent to use the vessel to participate in a particular fishery with a specific gear. Because area restrictions are specific to the gear type and target fisheries, declaration reports are needed to adequately assess the vessel's activity in relation to the area restrictions. In addition to the groundfish fishery, there are numerous state and federal fisheries that occur in the EEZ off Washington, Oregon, and California. Because many of the groundfish vessels also participate in fisheries other than groundfish, during an enforcement flyover or from a VMS position report alone it is difficult to determine if they are fishing for groundfish or for a species and with a gear for which harvest is allowed in the closed area. Therefore, a declaration report is necessary to identify what gear the vessel operator intends to use.

A single gear type is typically used for multiple trips, to reduce the reporting burden each declaration report will be valid until a new declaration is made or until an exemption report is received. This information will be used in combination with VMS to more efficiently and effectively direct the use of enforcement resources throughout the fishing year. Each vessel is estimated to send up to 20 declaration reports per year.

**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.**

Installation/activation certification reports The installation/activation certification reports are available on the internet. Due to the need for the owner's signature NMFS will use facsimile submission for the installation report. NMFS OLE will accept mailed submissions if the vessel owner prefers this method.

Hourly position reports are automatically sent from VMS transceivers installed aboard vessels. Once per hour, the unit automatically determines the vessel's location and transmits that position to a processing center via a communication satellite. The VMS transceiver units type-approved for use in the Pacific Coast groundfish fishery include models that automatically reduce the number transmissions, and thus the transmission costs after an extended period of inactivity by the vessel. In addition, vessel owners may choose to take advantage of the VMS technology by linking personal

computers to VMS transceiver units to improve communication (by adding email capacity) and add other services such as newspapers or weather reports.

Exemption reports and Declaration reports will be submitted by phone on a toll-free number. This form of reporting, available 24 hours per day, creates minimal burden for fishermen reporting, as well as for NMFS staff entering information into the database where it can be used in reports to monitor fishing activity. NMFS has prepared an example of a worksheet - not for submission to NMFS - that can be used by the caller to organize report information (attached).

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

There are no alternate sources of this information or duplicative requirements.

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

Most of the respondents qualify as small businesses. The burden on fishery participant was considered and only the minimum data needed to monitor compliance with regulations are being requested from respondents.

The VMS units that have been type-approved for this fishery range in costs and service features. This allows the vessel owner the flexibility in choosing the model that best fits the needs of their vessel. Vessels that have already purchased VMS transceiver units for other fisheries or personal purposes will be allowed to retain existing VMS transceivers providing they are on the list of type-approved models and have been upgraded to the level required for the fishery.

The availability of federal funding for purchasing, installing, or maintaining VMS transceiver units, or for funding data transmission is not known at this time. Due to the critical need to monitor the integrity of EFH conservation areas and RCAs and GCAs that protect overfished stocks, NMFS believes it is necessary to proceed with this rulemaking. It is necessary, therefore to require fishery participants to bear the cost of purchasing, installing, and maintaining VMS transceiver units, hourly VMS data transmissions, and reporting costs associated with installation and declaration requirements. If federal funding becomes available, fishery participants may be reimbursed for all or a portion of their VMS expenses.

The installation and activation reports request contact information from open access vessels only. Vessels participating in the limited entry fishery are required to have permits registered to the vessels. Contact information for vessels registered to limited entry permits will be obtained from the permits database. There are no federal permit requirements for open access fishery participants.

The submission of declaration reports was initially proposed as per trip reports. Following consultation with fishery participants, it was determined that the needs of NMFS OLE and the USCG could be met with less frequently made declaration reports. Therefore, it was determined that a declaration report identifying the type of gear being used by a vessel would remain valid until revised by the vessel operator or an exemption report was sent. This results in a significant reduction in the number of reports.

Following consultation with fishery participants prior to implementation of the pilot VMS program in the limited entry fisheries, it was determined that some vessels may prefer to reduce the costs of reporting when leaving the EEZ off the coasts of Washington, Oregon, and California. Because a substantial number of permitted vessels also fish in waters off Alaska and in areas outside the EEZ, and because vessels are commonly pulled out of the water for extended periods, a VMS hourly report exemption option was added, which included an exemption report. During the development of the expanded VMS program additional exemptions were considered for: vessels that transfer the limited entry permit from the vessel and do not engage in any fishing of the west coast for the remainder of the year, vessels that depart the open access fishery for an extended period after the end of the fishing year, and for vessel that have had an emergency situation that resulted in vessel damage such as fire, flooding or other extensive physical damage that would require the VMS or power source to be disconnected. Exemption reports are optional. The exemption reports allow flexibility to the industry participants while providing NMFS OLE with the information needed to determine why a position report is not being received from the vessel.

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

Installation/activation certification reports -- The use and submission of installation/activation certification reports is required once for the initial installation, and again for a re-installation or when the hardware or communications service provider changes. Less frequent reporting would prevent NMFS and the vessel operator from confirming that the system is functioning properly.

Hourly position reports -- If the VMS was not operational, NMFS Law Enforcement agents and USCG would be tasked with monitoring closed areas via air and surface patrols. Because the USCG engages in multi-purpose missions, that include at sea surveillance of fisheries, homeland defense, search and rescue, and pollution response, monitoring efforts may be diverted from monitoring depth-based and EFH conservation areas. VMS provides a level of coverage that cannot be attained by these more traditional enforcement methods at a substantially lower cost.

A more liberal depth-based management regime is only possible if the integrity of the depth-based RCAs can be ensured. Without VMS it is likely that the depth-based management strategy will be discontinued. VMS is necessary to ensure the integrity of the RCAs. If this were the case, the management structure would revert back to very restrictive limits on healthy stocks in order to protect low abundance species.

Less frequent position reports would be ineffective in deterring the illegal activity. Along some areas of the coast, the RCAs and EFH areas are narrow or prime fishing grounds are near the boundary line. If reports were less frequently it would be possible for some vessels to fish within the restricted areas without being detected. This would undermine the integrity of the RCAs.

Exemption reports allow vessels to reduce or discontinue the VMS signal under specific conditions. If the reporting frequency were reduced, VMS signals would have to continue 24 hours per day throughout the calendar year. The reporting frequency has been reduced to the minimum amount needed to maintain the integrity of the RCAs.

Declaration reports are needed to determine if the vessels is engaged in a fishery that is allowed or prohibited in the closed area. The declaration reports allow traditional enforcement resources to be directed towards RCA or EFH conservation area incursions efficiently and effectively throughout the fishing year. The reporting frequency has been reduced to the minimum amount needed to maintain the integrity of the RCAs.

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

The collection is consistent with OMB guidelines except that the VMS reports are sent multiple times per day. More frequent reporting is necessary to effectively enforcing the RCA and EFH area regulations.

**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.**

There were no comments on the proposed rule, RIN 0648-AU08, which applied to this proposed information collection.

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

No payments or gifts are provided under this program at this time.

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

Efforts were made in the design of the VMS program to ensure the security of all individual vessel location data, including analysis and storage. The system includes measures to minimize the risk of direct or inadvertent disclosure of fishing location information. In addition, VMS data is considered confidential under NOAA Administrative Order 216-100, Confidentiality of Fishery Statistics, and is subject to the confidentiality protection of Section 402 of the Magnuson-Stevens Act.

**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 are asked of a sensitive nature.

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

Total burden hours and annual costs for the VMS unit installation and operation are presented in Table 1 below. Total annualized responses (activation report, hourly reports, exemption reports and declaration reports) are 18,096,355. Total annualized hours are 38,334. Total annualized labor costs at \$30 per hour are \$1,150,020.

**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).**

Total burden hours and annual costs for the VMS unit installation and operation are presented in Table 1 below. Total annualized capital expenses are \$1,288,125. Total annualized reporting expenses (for activation reports and hourly reports) are \$2,258,341. Total overall expenses are \$3,546,466.

Exemption and Declaration reports-- Aside from the cost in time (see response to question 12) to summarize and call in a report, there will be no additional cost burden for respondents. All respondents are assumed to have access to a telephone. The telephone call will be placed through a toll-free number so the respondent will not pay for the call. All respondents are assumed to have access to a touch-tone telephone.

**Table 1. Total burden hours and annual costs for the VMS unit installation and operation**

<b>Installation/activation</b>		<b>831</b>
VMS Number of respondents (424 Limited Entry + 1,637 Open Access = 2,061)	2,061	13a
Initial cost of VMS unit (vessel owner purchases type-approved model that best suits their need)	\$1,200 - \$3,800 (\$2500)	
Cost of units for all respondents (unit cost * 2,061 respondents) to purchase VMS transceiver unit	\$2,440,800 - \$7,729,200 (\$5,085,000)	
Annual cost of transceiver unit for all respondents (given 4 year service life)	\$610,200 - \$1,932,300 (\$1,288,125)	14a
Total hours for installation at start-up (4 hours per vessel * 2,061 respondents)	8,244	
Annual hours for installation for all respondents (4 hours per vessel * 2,061 respondents/ 4 year service life)	2,061	13c
Annual hours for maintenance for all respondents (4 hours per vessel * 2,061 respondents)	8,244	13c
Annual number of installation/activation reports	515	13b
Hours per respondent to prepare installation/activation report	0.08	
Total hours for all respondents to prepare and submit installation/activation reports (5 minutes * 2,061 respondents)	172	
Annual hours for installation/activation reports per year	43	13c
Total cost to fax installation and activation reports ((\$3 per fax* 2,061 of respondents)/ 4 year service life)	\$1,546	14b
<b>Hourly Reports</b>		
VMS Number of respondents	2,061	
Number of responses per respondent (365 days per year * 24 transmissions per day)	8,760	
Annual number of responses (8,760 responses per respondent * 2,061 respondents)	18,054,360	13b
Annual hours for all respondents to send hourly position reports (5 seconds per transmission * 18,054,360 total number of responses)	25,074	13c
VMS position report transmission costs per respondent (\$1-\$5/day * 365 days)	\$365 - \$1,825 (\$1,095)	
Annual VMS position report transmission costs for all respondents (\$365-\$1,825 * 2,061 respondents)	\$752,265 - \$3,761,325 (\$2,256,795)	14b
<b>Exemption reports</b>		
Estimated VMS Number of respondents	500	
Annual number of exemption reports per year	800	13b
Hours per response to prepare and submit exemption report	0.08	
Annual hours for all respondents to prepare and submit exemption reports (0.08 hours * 800 reports)	64	13c
<b>Declaration reports</b>		
Estimated VMS Number of respondents	2,061	
Annual number of declaration report (20 is the estimated average per respondent * 2,061 respondents)	40,680	13b
Hours per response to prepare and submit declaration reports	0.07	
Annual hours for all respondents to prepare and submit declaration reports (0.07 hours * 40,680 reports)	2,848	13c

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

NMFS is required to ensure that VMS units have been installed properly and are operational. In addition, review of the data transmissions will be required to maintain the integrity of the restricted GCAs, RCAs, and EFH conservation areas. NMFS has one full-time employee (FTE) (GS-13, \$85,000) and six contract employees, one at \$60,000, one at \$56,000 and four at \$48,000 each from the NMFS OLE who are dedicated to maintaining the system.

The cost to the government during the first year of the program includes software (\$25,000) and equipment for a base station (\$54,000), software design for interactive voice report (IVR) reporting system (\$15,000), telephone usage fees (\$1,500) and training, travel, office space, etc.(approximately \$50,000).

The estimated cost of the total program is \$437,000 for the first year and approximately \$343,000 in subsequent years. This includes the costs of maintaining the base station and continuing the telephone reporting system. The total annualized cost is \$374,334.

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

This new information collection requires VMS purchase, installation and reporting for 2,061 open access fishery participant. In addition, the program will modify existing requirements for exemption and declaration reports. Annualized hours for installation, maintenance, activation reports, hourly reporting, and exemption and declaration reports total 38,334. Annualized costs total \$3,456,466.

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

No formal scientific publications based on these collections are planned at this time. The data will be used for management reports and fishery management plan amendments and evaluations by the NMFS and the Council. However, subsequent use of the data collected over a series of years may include scientific papers and publications.

**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.**

N/A.

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

N/A.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

No Statistical Methods are employed.



# Vessel Monitoring Systems Installation and Activation Report for the Pacific Coast Groundfish Fisheries

**INSTRUCTIONS:** This Vessel Monitoring System (VMS) Installation and Activation report for the Pacific Coast groundfish fishery is provided by the National Marine Fisheries Service (NMFS) pursuant to the regulatory requirements of 50 C.F.R.660.359 (d). The vessel owner or operator must follow the indicated procedures when installing or re-installing a type-approved VMS transceiver unit. At least 72 hours prior to leaving port on a trip in which VMS is required, the vessel must send the Installation and Activation Report.

This VMS installation and Certification Report is applicable for the VMS transceiver units and communications service providers currently approved for use in the Pacific Coast groundfish fishery. As additional VMS transceiver units and communication service providers are approved, revised instructions will be posted on the NMFS, Office of Law Enforcement (OLE) web site [www.nmfs.noaa.gov/ole/nw\\_vms.html](http://www.nmfs.noaa.gov/ole/nw_vms.html) and on the Northwest Region's web site at [www.nwr.noaa.gov/Groundfish-Halibut/Groundfish-Fishery-Management/Vessel-Monitoring-System/Index.cfm](http://www.nwr.noaa.gov/Groundfish-Halibut/Groundfish-Fishery-Management/Vessel-Monitoring-System/Index.cfm)

Follow the steps for the particular transceiver unit selected by the vessel owner. The vessel owner is responsible for all installation and activation costs. After the installation is complete and unit is activated, the owner must mail or fax the Installation and Activation Certification Report to NMFS, OLE, Northwest Division, 7600 Sandpoint Way NE, Seattle, WA 98115-6349. Fax (206) 526-6528.

## **INSTALLATION AND ACTIVATION**

Begin by consulting the "Vessel Monitoring System, List of Approved Mobile Transceiver Units and Communications Service Providers for the Pacific Coast groundfish Fishery". This list of type-approved transceiver units and communications service providers, which consolidates information published in the Federal Register, will be posted on the NMFS Northwest Region web site. The list is also available from NMFS OLE by calling (206) 526-4850.

**A. If you already have an INMARSAT-C transceiver unit:** If you already have an INMARSAT-C transceiver unit that is the same make and model as one of the approved units, you can qualify the unit for use in the Pacific Coast groundfish fishery if the unit is functionally equivalent to an approved unit. This may require you to upgrade the version of software and firmware for the unit, and/or reconfigure the message settings (unit parameters and menu options). If you are not currently using your unit, you will need to contact the INMARSAT-C service provider to establish communications service. This includes applying for subscriber services, establishing credit, and setting up a billing account for ongoing communications charges.

Contact the VMS provider for your make and model and request an upgrade for your unit. After the provider performs the upgrade, go to Section C, Step 9. If you cannot get an upgrade, you will need to purchase new equipment and services for VMS.

**B. If you already have an ARGOS MAR GE transceiver unit:**

If you already have an ARGOS MAR GE transceiver unit that is the same make and model as one of the approved units, you can qualify the unit for use in the Pacific Coast groundfish fishery if the unit is functionally equivalent to an approved unit. If you are not currently using your unit, you will need to contact the Argos provider to establish communications service. This includes applying for subscriber services, establishing credit, and setting up a billing account for ongoing communications charges. If you are using your VMS for fishing in the Exclusive Economic Zone off Alaska or for other purposes, you will need to complete the VMS Installation and Activation Certification report. Please contact NMSF OLE, VMS Program Coordinator during business hours at (206) 526-4850, go to Section C, Step 9.

**C. Purchasing a new VMS transceiver unit:**

Step 1 Contact the entities identified in the Federal Register Notice under "**VMS Provider Addresses**". Indicate to the providers that you will be using the VMS transceiver unit for the Pacific Coast groundfish fishery and you would like to obtain purchase and installation information on the units they provide. Determine the transceiver unit and communications service provider that best suits your needs. Select

which satellite system to use for the fishing vessel's VMS. If you select INMARSAT-C, go to Step 2, if you select INMARSAT-D+, go to Step 7 and if you choose ORBCOMM, go to Step 8.

Step 2 Choose INMARSAT-C providers: one for the transceiver unit, and one for the communications service providers. The VMS program is designed so that the fisherman has free choice of any combination of approved INMARSAT-C options. Do the next two steps, Steps 3 and 4, in any order.

Step 3 Choose the INMARSAT-C communications service provider you prefer and establish a service contract. This includes applying for subscriber services, establishing credit, and setting up a billing account for ongoing communications charges. If applicable, record the important identifying information, such as a user name and password to access your private position information and your transceiver unit, and the INMARSAT-C email address of your unit.

Step 4 Choose the INMARSAT-C transceiver unit you prefer. If you purchase a Thrane & Thrane TT3022D, request part number "NMFS" before the unit is mailed out. The Thrane & Thrane provider will initially mail you only the form known as the INMARSAT Service Activation Request Form (SARF). Go to Step 5.

Step 5 Register your transceiver unit for INMARSAT-C by using the following steps.

- Fill out the SARF form referred to in Step 4 above.
- Fax or mail the SARF to the "routing organization" indicated on the form for U.S.-flagged vessels.
- Include proof of the fishing vessels "ship radio license" (copy of FCC Form 506) with the SARF.

When the SARF is processed, you will be given an "INMARSAT Number" (also known as "IMN" or "INMARSAT Mobile Number"). This number uniquely identifies your unit within the INMARSAT system, similar to a telephone number. Record this number. Go to Step 6.

Step 6 Contact your Thrane & Thrane provider and inform them of your INMARSAT Mobile Number (INM) and the communications service provider company you have chosen. The Thrane & Thrane provider will configure the unit to be ready for VMS (VMS message settings and satellite operations), and will then ship the unit. Go to Step 9.

Step 7 The INMARSAT D+ transceiver that meets the minimum technical requirements for the Pacific Coast groundfish fishery is the Satamatics SAT-101 (Model Number SAT-101 NMFS/PCG). Satamatics provides both the transceiver unit for sale, and the communications service. To activate your INMARSAT-D+ transceiver, you must establish a service contract with the INMARSAT-D+ vendor. This includes applying for subscriber services, establishing credit, and setting up a billing account for ongoing communications charges. Go to Step 9.

Step 8 The ORBCOMM transceiver that meets the minimum technical requirements for the Pacific Coast groundfish fishery is the Stellar ST2500G (Part Number ST2500G-NMFS). To activate your ORBCOMM transceiver, you must establish a service contract with the ORBCOMM vendor. This includes applying for subscriber services, establishing credit, and setting up a billing account for ongoing communications charges. Go to Step 9.

Step 9 Install the VMS transceiver unit and antenna according to the installation instructions contained in the manual supplied by the manufacturer, or contact a marine electronics specialist or dealer to install the unit. Also see Step 10.

Step 10 Run the cable connecting the unit in the wheelhouse to the antenna mounted outside, through a solid, immovable and permanent part of the vessel such as a bulkhead, deck, or console. Go to Step 11.

Step 11 Turn on the power to the vessel transceiver. Go to Step 12

Step 12 Confirm, by phone, with your communications service provider's Customer Service that periodic position reports are now automatically being sent to NOAA OLE. Go to Step 13

Step 13 Once your transceiver unit is installed and activated and you have confirmed with your customer service provider that the unit is operational, fill out the "VMS Installation and Certification Report" and mail or fax it to NMFS.

# VMS INSTALLATION AND ACTIVATION CERTIFICATION REPORT

OMB Control No.: 0648-xxxx  
Expiration Date: xx/xx/xxxx

The vessel owner must sign this statement certifying compliance with the installation procedures defined for VMS transceiver unit, then submit this certification to the National Oceanic and Atmospheric Administration, NMFS, Office for Law Enforcement (OLE), Northwest Division, 7600 Sandpoint Way NE, Seattle, WA 98115-6349. Fax (206) 526-6528. At least 72 hours before participating in a fishery requiring VMS transmissions, you must obtain a confirmation from NMFS OLE that the VMS transmissions are being received without error.

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

Documentation number: \_\_\_\_\_ Federal Groundfish Permit Number: \_\_\_\_\_

VMS Unit Manufacturer: \_\_\_\_\_ VMS Unit serial number: \_\_\_\_\_

INMARSAT Serial number (ISN): \_\_\_\_\_ INMARSAT mobile number (INM): \_\_\_\_\_

BOATRACS MCT#: \_\_\_\_\_

Is this VMS unit a primary or back-up unit?     Primary     Back-up

VMS Communications Service Provider: \_\_\_\_\_

(The information listed above should have been provided by the VMS unit manufacture)

Ownership of the VMS transceiver unit may be transferred from one vessel owner to another vessel owner only when all of the correct documents have been submitted to NMFS OLE

Has the VMS Transceiver Unit you are registering been previously registered to another vessel that operated in marine waters off the coast of Washington, Oregon or California?    Yes     No

**Note:** Registering a VMS transceiver unit to more than one vessel at the same time is prohibited. If this VMS Transceiver Unit was previously registered to another vessel that operated in marine waters off the coast of Washington, Oregon or California, you must submit with this activation report and proof of ownership of the VMS transceiver unit or proof of service termination from the communication service provider.

Certification: In accordance with 50 C.F.R. 660.359 (d)(2), as the owner of a vessel participating in the Pacific Coast Groundfish Fishery, I hereby certify that the VMS system on my vessel has been installed in compliance with the applicable procedures and the manufactures instructions.

Vessel Owner Name: \_\_\_\_\_

Vessel Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Under the provisions of the Paperwork Reduction Act of 1995 (PL 104-13) and the Privacy Act of 1974 (PL 93-579), you are advised that disclosure of the information requested in this Vessel Monitoring System (VMS ) installation and activation report is mandatory for the purpose of managing the Pacific Coast Groundfish fishery. The VMS installation and Certification Report information is used to ensure proper operation of the VMS unit. Reporting burden for the collection of information is estimated to average 4 hours per installation, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. The burden for submission of this VMS installation and Certification Report is estimated at 5 minutes per response. Confidentiality of the information provided will be treated in accordance with NOAA Administrative Order 216-100. It is the policy of the National Marine Fisheries Service not to release confidential data to the public or unauthorized users, other than in aggregate form, as the Magnuson Act protects (in perpetuity) the confidentiality of those submitting data. Whenever data are requested, the NMFS ensures that information identifying the business activity of a particular individual is not identified. Because you have been provided with a currently valid OMB control number for a collection of information subject to the requirements of the Paperwork Reduction Act, you are required to respond to, or be subject to penalty for failing to comply with, this collection of information. Send comments regarding this burden estimate or suggestions for reducing this burden to: NMFS, Office of Law Enforcement, Northwest Division 7600 Sandpoint Way NE, Seattle, WA 98115-6349.

**Declaration Report Worksheet**  
 OMB Control No.: 0648-xxxx; Expiration Date: xx/xx/xxxx

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

1) Enter a Declaration Report. If you are calling this system for the first time and or if you have lost your vessel number or passcode select the option to talk to a NMFS representative (Call should be forwarded to a live person or a message that reminds them to call during business hours and identifies the hour)

2) Enter your 6 digit vessel number.

Vessel Number					

3) Enter your 5 digit vessel passcode.

Vessel Passcode				

4) Enter the type of report you are making.

- \*1 Enter a new declaration report-
- \* 2 Enter an Exemption Report

Type of report

D1) Enter your 2 digit gear code.

- |  |  |
|--|--|
| 10 - Limited entry fixed gear                    | 60 - Spot and ridgeback prawns pot gear                          |
| 20 - Limited entry midwater trawl gear           | 61 - Dungeness crab gear   |
| 30 - Limited entry bottom trawl gear             | 62 - Pacific Halibut gear  |
| 31- Limited entry demersal trawl gear            | 63 - Salmon troll gear   |
| 41 - Pink shrimp trawl gear                      | 64 - California halibut line gear                                |
| 42 - California halibut trawl gear               | 65 - California Sheephead trap or pot gear                       |
| 43 - Sea cucumber trawl gear                     | 66 - Gear used to take Highly Migratory Species                  |
| 44 - Ridgeback prawn trawl gear                  | 67 - Gear used to take Coastal Pelagic Species                   |
| 50 - Tribal trawl gear                           | 68 - Gear used to take species in the California gillnet complex |
| 57 - Open access longline gear for groundfish    | 69 - A gear that is not listed above                             |
| 58 - Open access pot or trap gear for groundfish |  |
| 59 - Open access line gear for groundfish        |  |

Gear Code

D2) Enter your 2 digit VMS Exemption code.

- 10 - Haul Out
- 20 - Outside of Area
- 30 - Long-term departure exemption
- 40 - Permit transfer exemption
- 50 - Emergency exemption

Exemption Code

D3) For your records, record the confirmation number provided by this system.

Confirmation Number					