

**DEPARTMENT OF COMMERCE****Submission for OMB Review;  
Comment Request**

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* National Oceanic and Atmospheric Administration (NOAA).

*Title:* Socioeconomics of Commercial Fishers and For Hire Diving and Fishing Operations in the Flower Garden Banks National Marine Sanctuary.

*OMB Control Number:* None.

*Form Number(s):* None.

*Type of Request:* Regular submission.

*Number of Respondents:* 80.

*Average Hours per Response:* 3.

*Burden Hours:* 240.

*Needs and Uses:* The National Marine Sanctuaries Act (16 U.S.C. 1431, *et seq.*) authorizes the use of research and monitoring within National Marine Sanctuaries (NMS). In 1996, the Flower Gardens Bank National Marine Sanctuary (FGBNMS) was added to the system of NMS via 15 CFR part 922, subpart L. In 2001, Stetson Bank was added in a revision of 15 CFR part 922.

The National Marine Sanctuaries Act (NMSA) specifies that each NMS should revise their management plans on a five-year cycle. The FGBNMS has begun the management plan review process. The NMSA also allows for the creation of Sanctuary Advisory Councils (SACs). SACs are comprised of representatives of all NMS stakeholders. Management Plan Review (MPR) is a public process and the SACs, along with a series of public meetings, are used to help scope out issues in revising the management plans and regulations. SAC Working Groups are often used to evaluate management or regulatory alternatives. In the current MPR for the FGBNMS, two major issues have emerged: Boundary expansion and research-only areas. In addition, several new or modified regulations are being considered to meet specific needs for diver safety and resource protection (no anchoring/mooring buoy use requirement and a more stringent pollution discharge regulation).

To address each of these issues, a socioeconomic panel composed of NOAA staff and social scientists from other agencies, or from universities, will develop information and tools to assess the socioeconomic impacts of management strategies and regulatory alternatives. The information and tools developed in this process will also

provide the necessary information for meeting agency requirements for socioeconomic impact analyses under the National Environmental Policy Act (NEPA), Executive Order 12086 (Regulatory Impact Review) and an Initial and Final Regulatory Flexibility Analysis (impacts on small businesses). The first step in the assessment process will be to interview three key sanctuary user groups—commercial fishers, for hire recreational dive operations and for hire recreational fishing operations (charter and party/head boat operations)—with questions focusing on: (1) General information, economic information and trip costs; and (2) knowledge, attitudes and perceptions of sanctuary management strategies and regulations.

*Affected Public:* Business or other for-profit organizations.

*Frequency:* One-time only.

*Respondent's Obligation:* Voluntary.

*OMB Desk Officer:* David Rostker, (202) 395–3897.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482–0266, Department of Commerce, Room 7845, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, FAX number (202) 395–7285, or [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov).

Dated: July 28, 2009.

**Gwellnar Banks,**

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

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*Agency:* National Oceanic and Atmospheric Administration (NOAA).

*Title:* National Marine Fisheries Service (NMFS) Observer Programs' Information That Can Be Gathered Only Through Questions.

*OMB Control Number:* None.

*Form Number(s):* None.

*Type of Request:* Regular submission.

*Number of Respondents:* 4,323.

*Average Hours per Response:* One hour and 20 minutes, including pre-deployment information, information gathered directly from captain/crew during trips, reimbursement requests and observer evaluations.

*Burden Hours:* 17,455.

*Needs and Uses:* NOAA's National Marine Fisheries Service (NMFS) deploys fishery observers on United States commercial fishing vessels and to fish processing plants in order to collect biological and economic data. NMFS has at least one observer program in each of its six Regions. These observer programs provide the only reliable or most effective method for obtaining information that is critical for the conservation and management of living marine resources. Observer programs primarily obtain information through direct observations by employees or agents of NMFS or through non-standardized oral communication in connection with such direct observations; and such collections are not generally subject to the Paperwork Reduction Act (PRA). However, observer programs also collect the following information that requires clearance under the PRA: (1) Standardized questions of fishing vessel captains/crew or fish processing plant managers/staff, which include gear and performance questions, safety questions, and trip costs, crew size and other economic questions; (2) questions asked by observer program staff/contractors to plan observer deployments; (3) forms that are completed by observers and that fishing vessel captains are asked to review and sign; (4) questionnaires to evaluate observer performance; (5) information used to ensure that the data for a specific trip are not provided to an individual (e.g., fisherman) who does not have authority to obtain that data under the confidentiality requirements of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and/or the Marine Mammal Protection Act (MMPA); and (6) information on reimbursement forms. NMFS has received PRA clearances for the second and fourth types of collections for some observer programs (OMB Control Numbers 0648–0423 and 0648–0202 for deployment questions, and 0648–0550 and 0648–0536 for observer evaluations); those burden hours are now included in this national, comprehensive PRA submission.

The information collected will be used to: (1) Monitor catch and bycatch; (2) understand the population status and trends of fish stocks and protected