

Justification for Change
NORTHEAST REGION PERMIT FAMILY OF FORMS
OMB CONTROL NO. 0648-0202

National Marine Fisheries Services (NMFS) proposes to issue a permit* that requires the installation and operation of vessel monitoring systems (VMS) on up to 10 vessels that were not included in past burden estimates. **Approval of the change is requested within two weeks, as the permit was to be issued 30 days after receipt of the application. The statutory deadline was April 10. The requirements for VMS will not take effect until this change request is approved by Office of Management and Budget (OMB)**

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For several years, NMFS has been issuing an annual permit for Canadian vessels that participate in the Atlantic herring fishery of the Northeast Region, under section 204(d) of the [Magnuson-Stevens Fishery Conservation and Management Act](#) (MSA) and section 105(e) of [Public Law 104-297](#), the Sustainable Fisheries Act. A new requirement for VMS will be added to the permit based on input from the United States (U.S.) Coast Guard. Section 204(d) states that applicants must comply with requirements described in section 201(c)(2) for the permit to be approved. Section 201(c)(2) includes a provision that the owner or operator of any foreign fishing vessel install and maintain in working order transponders, or such other appropriate position-fixing and identification equipment as the U.S. Coast Guard is operating determines to be appropriate. The U.S. Coast Guard found that VMS would be appropriate for the Canadian vessels and subsequently NMFS added the requirement in the proposed permit. Operation of the VMS will allow the monitoring of the vessels and their fishing effort.

Section 105(e) of Public Law 104-297 states that, within 30 days of receiving an application, NMFS shall issue permits to up to fourteen Canadian transport vessels that are not equipped for fish harvesting or processing, for the transshipment of Atlantic herring harvested by U.S. fishermen and used solely in sardine processing. The Northeast Fisheries Management Council established a border transfer specification for this herring transshipment in accordance with 50 CRF 648.200 (a).

The requirement will affect up to 10 Canadian vessels that currently do not have VMS onboard. As these Canadian vessels participate in the Atlantic herring fishery, there would be only minor changes to the total burden and cost for the herring fishery permit holders.

Currently 150 vessels have VMS units installed and operating. The additional affected vessels will need to purchase and install a VMS unit at an average cost of \$3,400 each, with yearly maintenance costs of \$200, for a 3-year total of \$3,400 + 200 + 200, or \$3,800, annualized to \$1,267, or \$12,670 for all vessels. There would be two responses associated with installation: Completion of OMB Control No. 0648-0202 VMS certification form and telephone call to notify the Office of Law Enforcement of activation, and the average burden including installation

* Applications for this permit are covered under OMB Control No. 0648-0089

would be 1 hour and 20 minutes (total of 20 responses and 13 hours). The average cost of the telephone call would be \$1, for a total of \$10.

Assuming a vessel trip from Canada to the U.S. will take an average of 24 hours, and the overall total is 10 trips during the year, the total number of transmissions would be 240, based on hourly VMS automatic reporting. Assuming each transmission costs \$0.03, the total cost would be \$7.20.

For each trip, two email messages with information on the vessel, days and times of arrival into and departure from the U.S. EEZ, and description of fishing activities, will need to be transmitted via VMS. The estimated burden for each of the 20 email messages is 15 minutes per message and the estimated cost is \$2 per message (total of 300 minutes (10 trips x 2 messages x 15 minutes) or 5 hours and \$40).

The total additional estimated maximum responses would be 40 (10 certifications, 10 activation telephone calls, and 20 arrival/departure emails).

The total additional hourly burden would be 18 (13 for installation, certification and activation telephone call + 5 for arrival/departure emails).

The total additional cost would be \$12,727.20 (\$12,670 for purchase and installation + \$10 for telephone calls + \$7.20 for transmissions and \$40 for emails).