

CHANGE REQUEST JUSTIFICATION
SOUTHWEST REGION PERMIT FAMILY OF FORMS
OMB CONTROL NO. 0648-0204

This is a request to implement permit fees under the Fishery Management Plan for United States (U.S.) West Coast Fisheries for Highly Migratory Species under the OMB Control No. 0648-0204, Southwest Region Permit Family of Forms.

The National Marine Fishery Service's (NMFS) Southwest Region Sustainable Fisheries Division has composed a final rule, RIN 0648-AW50, "Fisheries off West Coast States; Highly Migratory Species Fisheries," that will amend regulations implemented under the U.S. West Coast Fisheries for Highly Migratory Species, Fishery Management Plan (HMS, FMP) to establish a framework for the collection of permit fees. The purpose is to comply with NMFS National Policy Directive 30-120 pertaining to NMFS Permit Fees. Historically, only some fishery management plans have authorized the collection of permit fees. This resulted in a set of inconsistent permit fee policies around the country. NMFS issued Policy Directive 30-120 to establish a more consistent agency permit program that recovers the expense of permit processing and issuance for all permits issued by NMFS to the extent of the law allowed. After consultation with the Pacific Council, NMFS Southwest Region is finalizing rulemaking for this action pursuant to procedures established at 50 CFR 660.717(d) of the implementing regulations for the HMS FMP.

The final rule will specify that an application for an HMS permit, including the renewal of an existing permit, will include a fee payable by the vessel owner. In accordance with the National Oceanic and Atmospheric Administration (NOAA) Finance Handbook guidelines for cost-recovery permits, the initial fee has been calculated at \$30 for the Pacific HMS Permit, which is valid for two years. The Assistant Administrator may change the fee amount required at any time if a different fee is determined appropriate in accordance with the NOAA Finance Handbook and specified by the Administrator, Southwest Region, on the application form.

A total of 669 permit applications (602 renewals and 67 new applications) are expected per year. At \$30 per permit fee, this will add \$20,070 to the current recordkeeping/reporting costs of \$533, bringing the new total to \$20,603.

The final rule is at the Department of Commerce as of 6-3-09; review of this submission is requested as soon as possible.