

**SUPPORTING STATEMENT
TILEFISH AMENDMENT 1 TO THE FISHERY MANAGEMENT PLAN PERMIT
DATA COLLECTION
OMB CONTROL NO.: 0648-xxxx**

INTRODUCTION

This submission requests Office of Management and Budget (OMB) clearance of information collection provisions for the management measures proposed under Amendment 1 to the Tilefish Fishery Management Plan (Amendment 1).

New Collections That Would Increase the Annual Budget

The Mid-Atlantic Fishery Management Council (Council) has adopted management measures under Amendment 1 that, if approved by the National Marine Fisheries Service (NMFS), would institute an Individual Fishing Quota (IFQ) system in the Fishery Management Plan (FMP). The following management measures include provisions that would require new information collection requirements: (1) IFQ Allocation Permit; (2) IFQ Permanent Transferability; (3) IFQ Temporary Leasing; (4) Cap on the Acquisition of IFQ Allocation; (5) IFQ Cost recovery; (6) IFQ Reporting Requirements; and (7) Charter/Party (CP) Permitting Requirements. This data collection submission requests approval of new information collection requirements to implement the above provisions for Amendment 1.

All of these new reporting requirements and new collections of information will be merged into the existing Northeast Region Logbook Family of Forms (OMB Control No. 0648-0202) at a later time.

A. JUSTIFICATION

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

Under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the Secretary of Commerce (Secretary) has responsibility for the conservation and management of marine fishery resources off the coast of the United States (U.S.). The majority of this responsibility has been delegated to the Regional Fishery Management Councils and National Marine Fisheries Service (NMFS). The Council develops management plans for fishery resources in the Mid-Atlantic. The Tilefish FMP manages golden tilefish caught and landed within the Tilefish Management Unit.

The original tilefish FMP was implemented in 2001 by the NMFS. This FMP was developed by the Council in response to declining tilefish biomass. However, the 2005 Stock Assessment indicated that the stock had rebounded and is no longer overfished, or undergoing overfishing. The tilefish FMP is currently managed by monitoring a quota for each of three limited access permit categories. In April 2008, the Council adopted a suite of management measures in Amendment 1 to the FMP that would create a limited access privilege program (LAPP) within the fishery. This LAPP is intended to reduce overcapacity in the fishery, and end the current derby fishery that exists in two of the three permit categories. There are several requirements of LAPP, as stipulated in the MSA. These include a requirement to recover the management costs

incremental to the institution of the LAPP, and to define the maximum individual shareholding in the fishery. In addition, since the inception of the original FMP in 2001, the recreational tilefish fishery has not reported catch, although it was believed to be minimal. However, in recent years, anecdotal evidence suggests that there is a larger recreational component of the fishery. Since recreational landings data is unknown, the Council chose to adopt measures to institute a new CP permit with new reporting requirements.

The following is justification for each of the new reporting requirements that would be established by Amendment 1.

IFQ Allocation Permit

Amendment 1 would implement an IFQ program in the tilefish FMP. This would require the issuance of IFQ Allocation permits to all entities that own IFQ. The Council intended to allow any U.S. citizen, or corporation that is permitted to own a coast guard documented vessel, to be eligible to own tilefish IFQ. However, Amendment 1 would allocate the initial tilefish IFQ Allocation permit in a manner that rewards recent fishery participation. The Council has estimated that 13 individuals will receive tilefish IFQ Allocation permits when the IFQ program is implemented. Under Amendment 1, an individual would be eligible to be issued a tilefish IFQ Allocation permit if s/he owned a vessel that was issued a valid tilefish limited access permit for the 2005 permit year, or if s/he currently holds a valid Confirmation of Permit History (CPH) for the fishing history associated with that vessel. In addition to this permit requirement, vessel owners that held a tilefish Category A or B permit would be eligible to receive an IFQ allocation based on their average landings for the 2001 through 2005 period. These landings would be used to assign the Category A (i.e., 66% of the adjusted Total Allowable Landings (TAL)), and Category B (i.e., 15% of the adjusted TAL) quota allocations to each vessel under the IFQ system. The Category C (i.e., 19% of the adjusted TAL) quota allocations would be divided equally based on average landings from 2001 through 2005 period. In addition, the owner of a vessel issued a valid limited access permit during the 2005 permit year must have average landings, from the 2001-2005 period, that constitute at least 0.5 percent of the quota for the Category for which it was permitted. After the initial IFQ permit issuance, permanent IFQ transfers may occur at any point thereafter, which may change the number of IFQ Allocation permits that are issued annually. These permits are necessary to ensure that IFQ allocation owners are provided a statement of their annual catch quota, and are necessary for enforcement purposes to ensure vessels are not exceeding an individual quota allocation.

IFQ Permanent & Temporary Transferability

To achieve its objectives, it is essential that an Individual Fishing Quota (IFQ) program allow the free transfer of quota shares. These objectives include reduction in overcapacity, and provision for economic efficiency in the fishery. Amendment 1 allows for IFQ to be permanently transferred to any entity eligible to own a documented vessel under the terms of 46 U.S.C. 12102(a), SHIPPING, Subtitle II--Vessels and Seamen, Part H--Identification of Vessels, CHAPTER 121--DOCUMENTATION OF VESSELS. In order to process an IFQ transfer (temporary, or permanent), NMFS would require that an IFQ Allocation permit holder submit an IFQ transfer form. This IFQ transfer form would need to include the following information: the type of transfer (either temporary or permanent), the signature of both parties involved, the cost associated with the transfer, the amount of quota to be transferred, and a declaration of the interest held in tilefish IFQ allocation, with IFQ Allocation permit numbers, for the entity

receiving the IFQ. An IFQ Transfer Application Form would be made available to IFQ Allocation permit holders annually, along with notification of their annual individual quota. In addition, IFQ Allocation permit holders will be notified that the form is available online through the Northeast Regional Office web site, at www.nero.nmfs.gov.

IFQ Share Accumulation

Section 303A(c)(5)(D) of the 2006 reauthorized Magnuson-Stevens Act states that IFQ privilege programs should ensure that limited access privilege holders do not acquire an excessive share of the total limited access privileges in the program by: 1) establishing a maximum share, expressed as a percentage of the total limited access privileges, that a limited access privilege holder is permitted to hold, acquire, or use; 2) establishing any other limitations or measures necessary to prevent an inequitable concentration of limited access privileges; and 3) authorizing limited access privileges to harvest fish to be held, acquired, used by, or issued under the system to persons who substantially participate in the fishery, including in a specific sector of such fishery, as specified by the Council. Amendment 1 would institute a restriction on the acquisition of IFQ allocation to 49 percent. No person, corporation, partnership or other entity eligible to own a U.S. documented vessel (entity), may hold (permanently or temporarily) more than 49 percent of the total tilefish IFQ allocation. This would prevent the accumulation of an excessive shareholding in the fishery, while still allowing for additional consolidation in the fishery to reduce overcapacity.

To ensure that an entity does not acquire more than 49 percent of the overall tilefish IFQ TAL, NMFS must collect IFQ allocation interest data. IFQ Allocation permit holders would need to disclose their interest in IFQ allocations annually, prior to receiving their annual permit. To facilitate the collection of this information, NMFS will require that an IFQ Allocation Interest Declaration form be submitted prior to issuing IFQ Allocation permits. NMFS will collect this information annually to ensure that no entity holds more than 49 percent of the tilefish IFQ allocation prior to issuing the IFQ Allocation permits. This form would need to include the signature of the owner, the complete address and phone number of the owner, an attestation that the owner is a U.S. Citizen, and the Individual Transferable Quota (ITQ) Allocation permit numbers that he/she has interest in. The ITQ allocations of which an individual declares an interest in must be identified by both full name (individual or corporation) and by NMFS IFQ Allocation permit number. An IFQ Allocation permit holder may not transfer IFQ (permanently or temporarily) if it will result in an entity holding more than 49 percent of the total tilefish IFQ TAL.

Fees and Cost Recovery

NMFS is required under the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) to collect fees to recover the costs directly related to management, data collection and analysis, and enforcement of IFQ programs. Under section 304(d)(2)(A) of the Act, the Secretary is authorized to collect a fee to recover these costs. The fee shall not exceed 3 percent of the ex-vessel value of fish harvested. The IFQ fees collected would be deposited in the Limited Access System Administrative Fund (LASAF) established in the U.S. Treasury. A separate marked account would be created within the LASAF to ensure that the fees collected are only recovered to pay for the incremental costs directly related to management, data collection and analysis, and enforcement costs of the NMFS Northeast Region Tilefish IFQ Program. Amendment 1 would require that the IFQ permit holder pay a cost recovery fee for every pound

of tilefish that he or she lands. As soon as possible after the end of the calendar year, NMFS will mail a bill for the IFQ fee from the previous calendar year to each IFQ permit holder. Bills may also be made available electronically via the internet. Payment of the IFQ fee must be made within 45 days of the date on the NMFS bill.

Payments of the IFQ fee must be made electronically via the Federal web portal, www.pay.gov, or other internet sites as designated by the Regional Administrator. The reason for the electronic fee collection system is to minimize paper transactions, as at the present time the NMFS Northeast Regional Office is not equipped to process paper collections. Instructions for electronic payment will be made available on both the payment website and the paper bill. Payment options will include payment via a plastic card (e.g. Visa, MasterCard, Discover, etc.), or direct ACH (automated clearing house) withdrawal from a designated checking account. Payment by check could be authorized by the RA for any reason including in the case of an emergency (i.e., the geographical area or an individual(s) is affected by catastrophic conditions).

IFQ Reporting Requirements

Changes will be required to be made to the current data base system to support IFQ reporting requirements. This would include how to identify landings under an IFQ system. Under alternative 8B, a trip identifier (Vessel Trip Report (VTR) Serial Number) would be used to match all reported Interactive Voice Response (IVR) landings to their corresponding dealer reports. This would allow for all IVR data to more accurately match dealer (weigh-out) data on a trip-by-trip basis. In addition, the dealer number would also need to be recorded into the IVR to have vessels report pounds by dealer on the IVR. This would ensure that amounts of tilefish landed and ex-vessel prices are properly recorded for quota monitoring purposes and the calculation of IFQ fees, respectively.

Recreational Permits and Reporting Requirements

The current tilefish FMP does not contain management measures that require the recreational fishery to report landings. The FMP regulations allow for tilefish to be harvested by the recreational sector with no restrictions. When the FMP was first developed, the recreational participation in this fishery was thought to be minimal. However, recent anecdotal evidence suggests that there has been an increase in recreational tilefish landings. Currently, the recreational component of the fishery is not captured through Federal reporting requirements. The issuance of a permit is an essential ingredient in the management of fishery resources. The purposes and uses of the CP permits are: 1) registration of fishermen and fishing vessels; 2) listing of the characteristics of fishing vessels; 3) provision of a mailing list for the dissemination of important information to the industry; and 4) provision of a means for the collection of reporting of recreational landings data. The Council adopted management measures, in Amendment 1, that would establish a CP Permit in the fishery. Any owner of a party or charter vessel carrying recreational fishermen for-hire to fish for tilefish within the U.S. exclusive economic zone (EEZ) will need to obtain a CP vessel permit from NMFS. This would require that CP vessels report tilefish landings using vessel trip reports. The collection of this information would provide valuable information to determine the number of vessels and level of activity in the recreational fishery. An applicant must apply for a Federal vessel permit in writing to the Regional Administrator. The application must be signed by the applicant and submitted to the Regional Administrator at least 30 days before the date upon which the applicant desires to have the permit made effective. Applications must contain the name,

principal place of business, mailing address and telephone number of the applicant.

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.

The information requested would be used by several offices of NMFS and the United States Coast Guard (USCG) for the monitoring, implementation, and enforcement of the provisions outlined in the Tilefish FMP, as revised by Amendment 1.

The information gathered is required for the institution of a LAPP, as stipulated in the MSA, and for the issuance of a Federal CP permit. This information, as stated above, would enable NMFS to manage the new IFQ program and to better assess the role of the recreational component of the fishery. All of the information described in response to Question 1 will be collected annually, with the exception of the IFQ Allocation Transfer form, which will be collected every time an IFQ allocation transfer occurs, and the new IVR collection that will be required within 48 hours of every tilefish landing. Since Amendment 1 is instituting an IFQ program, with transferability of quota, it is not known at the outset how many IFQ allocation transfers will occur in a given year. However, it is believed that there will not be a large number of allocation transfers every year due to the specialization of the tilefish fleet, and the small number of active vessels that are capable of fishing for tilefish.

It is anticipated that the information collected would be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraph, the information gathered has utility. NMFS would retain control over the information and safeguard it from improper access, modification, and destruction, consistent with National Oceanic and Atmospheric Administration (NOAA) standards for confidentiality, privacy, and electronic information. See response to Question 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 would 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.

The collection of cost recovery fees, as required by the MSA for the institution of a LAPP, will be accomplished using www.pay.gov, the electronic Federal payment system managed by the Department of the Treasury. The two additional landings responses are submitted through the IVR.

All other collections of information required by Amendment 1 will require the submission of paper forms which will also be available for download electronically on the Northeast Region Office (NERO) website, www.nero.noaa.gov: The tilefish CP permit application; the Tilefish ITQ Allocation Transfer Form and the IFQ Allocation Interest Declaration form. Although these forms may be downloaded and completed electronically, they will need to be mailed in with an original signature(s).

4. Describe efforts to identify duplication.

NMFS is aware of all related fishery management activities, and these requirements do not duplicate any in existence.

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

The proposed collection of information would not have a significant impact on small entities. Only the minimum data to meet the requirements of the above data needs are requested from all participants. Furthermore, detailed instructions are included with all required applications and forms to help facilitate proper completion. Since most of the respondents are small businesses, separate requirements based on the size of the business have not been developed.

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

Amendment 1 to the Tilefish FMP would institute a LAPP in the fishery. If the information is not collected as described in Response #1, NMFS would be out of compliance with the LAPP requirements under the MSA. In addition, NMFS would not be able to collect recreational landings data not currently captured by NMFS and needed to ensure that the recreational fishery is properly factored into tilefish stock assessments.

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

IFQ allocation owners may transfer quota more frequently than quarterly, but transferring quota is a voluntary action, and is to the benefit of the fishing industry. The additional IVR system collection will be required within 48 hours of every landing and is authorized under the Act (Section 303A(c)(1)(H)) for the management of a LAPP.

8. Provide information on 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.

The information collections contained in this submission are part of a proposed rule, RIN 0648-AS25, scheduled to publish in the Federal Register in May 2009.

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

Neither payments nor gifts are given to the respondents.

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

All data would be handled in accordance with NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics, and would not be released for public use except in aggregate statistical form (and without identifying the source of data, i.e., vessel name, owner, etc.). In addition, any information submitted according to the provisions outlined in Amendment 1, or any other management action implemented by NMFS, would be considered confidential and would not be disclosed except as provided in Section 402(b) of the Magnuson-Stevens Act. Assurance of confidentiality is given on all forms.

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.

There are no questions of a sensitive nature.

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

A full summary of the public burden associated with this collection of information can be found in Table 1.

There are approximately 32 individual respondents estimated under this submission. These respondents represent those entities that meet the initial eligibility required to be issued a tilefish IFQ Allocation permit, and/or a Tilefish CP permit. This number includes all entities that would be affected by this information collection, although different provisions affect different numbers of entities. Due to duplication of participants affected by the various provisions, affected entities were only counted once. The new burdens included in this information collection request are described in further detail below and summarized in Table 1 at the end of the text.

IFQ Allocation Permit

It is estimated that there would be 32 applicants for an IFQ Allocation permit. Each allocation application will take approximately 30 minutes to process. Consequently, the total time burden for the initial applications will be 16 hours (32 x 30 minutes / 60 minutes = 16). According to Council analysis performed for Amendment 1, only 13 IFQ applicants are expected to qualify and consequently renew their application each year. IFQ Allocation permit renewal is estimated to take 15 minutes per application on average, for a total burden of 3 hours and 15 minutes per year (13 x 15 minutes/60 minutes = 3.25). **The 3 year average response number would be 19 (32 + 13 + 13)/3, with an average response time of 23.4 (23) minutes, and the 3-year average total public time burden for IFQ permit applications and permits renewals would be 7 hours and 15 minutes (7 hours).**

Appeals

Up to 32 applicants could potentially appeal their IFQ Allocation permit application decision over the course of the three month application period. The appeals process is estimated to take 2 hours per appeal to complete, on average, for a total burden of 64 hours. **The average responses**

for this one-time appeal, averaged over three years, would be 11, and the annualized burden would be 22 hours.

IFQ Allocation Acquisition – IFQ Ownership Cap Forms

To administer the 49 percent limit on IFQ Allocation holdings, IFQ Allocation permit holders would be required to submit IFQ Allocation Interest Declaration (IFQ Ownership Cap) form prior to each IFQ permit year. Since it is estimated there would be approximately 13 IFQ Allocation permits, there would be 13 forms each in the second and third years, averaged over three years to 9 responses ($13 + 13 = 26/3$). It is estimated it would take 5 minutes to complete each ownership form; therefore, the annual reporting burden would be 1 hour ($13 \times 5 \text{ minutes}/60 \text{ minutes}$), totaling 2 hours for the three-year period, would be **averaged over the first three years to 40 minutes (2/3 hours) or 1 hour.**

IFQ Permanent & Temporary Transferability

Using the Northeast Region's Atlantic Surfclam & Ocean Quahog (SC/OQ) ITQ Transfer Program (OMB Control No. 0648-0240) as a proxy for the response rate for the tilefish IFQ quota transfer program, it is anticipated that there would be approximately 65 quota transfers annually in the tilefish IFQ program. It is reasonable that it will take the same amount of time to complete a tilefish IFQ transfer form as it does to complete a SC/OQ transfer form. Therefore, using SC/OQ as a proxy, it is estimated that each transfer form takes approximately 5 minutes to complete. The Council has indicated that the initial tilefish IFQ allocation will be distributed to 13 entities. If these 13 IFQ allocation owners complete 5 transfers (65 responses), at 5 minutes per form, the annual burden will be approximately **5 hours and 24 minutes (5 hours)** ($13 \times 5 = 65 \times 5 \text{ minutes}/60 \text{ minutes}$).

Fees and Cost Recovery

As we are initiating cost recovery for this program, there are no current data for use in estimating the burden associated with submitting a cost recovery payment. Using the burden per response used by the Alaska Region's Alaska Individual Fishing Quota Cost Recovery Program Requirements (OMB Control No. 0648-0398) as a proxy for the tilefish IFQ program, it is estimated that it would take 2 hours per response. Each IFQ permit holder would be required to submit a cost recovery payment once annually. Therefore, 13 payments would take **26 hours.**

Recreational Permits and Reporting Requirements

According to NMFS VTR data, 32 vessels have landed tilefish from 1996 through 2005. It is expected that all of these vessels will apply for a CP vessel permit in order to maintain flexibility in their operations. Since these vessels are likely to already hold permits for other CP fisheries, and the CP permit will remain open access, it is not likely that additional burden (public costs or government costs) will be incurred.

IFQ Reporting Requirements

This collection requires tilefish vessels to input both their pre-printed VTR serial number and their dealer number into the IVR system within 48 hours of landing. Using the burden per response used by the current Northeast Family of Forms (OMB Control No. 0648-0202) as a

proxy for the tilefish IFQ program, it is estimated that it would take 2 minutes for each IVR response. Each IFQ permit holder would be required to input both the pre-printed VTR serial number and dealer number to the IVR system within 48 hours of each landing. Using data from the Northeast Regional Office, vessels within the Tier 1 category have landed an average of 19 times a year, over the past three years. The Tier 1 category is used to calculate this average since this tier most resembles the future IFQ system, as vessels have a cooperative system in place to spread out landings equally throughout the year. It is expected that after implementation of Amendment 1, all vessels will behave similarly to the current Tier 1 fishery. Therefore, if there are 13 initial allocations, it is likely that 13 vessels will land tilefish, and report to the IVR system 19 times a year. Each call reporting to the IVR system will now include 2 additional responses ($19 \times 2 = 38$ individual annual responses $\times 13 = 494$ total annual responses) to what is currently accounted for in the IVR portion of the current submission of OMB Control No. 0648-0202, each requiring 2 minutes of response time. **This additional burden would be approximately 16 hours and 28 minutes (16 hours)** (494×2 minutes = 988 minutes/60 minutes).

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 Question 12 above).

A full summary of the cost to the public associated with this collection of information can be found in Table 1.

TABLE 1

Reporting Requirement	# Items	Responses per item	Total responses	Burden hours	Recordkeeping/reporting costs
Permit Application (IFQ) (3-year average)	19	1	19	7	\$8
Appeals (IFQ) (3-year average)	11	1	11	22	\$22
IFQ Ownership Cap Forms (2 years of responses, averaged over 3 years)	9	1	9	1	\$5
IFQ Allocation Transfer Applications (temporary and permanent)	13	5	65	5	\$34
Cost Recovery	13	1	13	26	\$13
CP Permit Application	32	1	32	-	-
IFQ Additional Reporting	247	2	494	16	0
TOTAL	-	-	611	77	\$82

IFQ Allocation Permit

It is estimated that it would cost \$0.42 in postage fees to submit an initial permit application. Therefore, it would cost on average over a three year period an estimated **\$4.48** per year in postage fees (an average of 20 applications/renewals per year \times \$0.42 = \$13.44 / 3years = \$8.40).

Appeals

It is estimated that it would cost approximately \$1 in mail fees and \$1 in copy fees (10 pages at \$0.10 per page) to submit materials supporting an appeal. Since it is anticipated that there will be approximately 32 appeals during the 90 day application period, annualized to 11 appeals, the cost burden resulting from the appeals process would be approximately **\$22** (\$2 x 11).

IFQ Share Accumulation (Ownership Cap Form)

It is estimated that it would cost \$0.42 in mailing fees and \$0.10 in copy fees to submit an ownership cap form. Since it is estimated that there will be 13 IFQ Allocation Interest Declaration forms submitted annually in the second and third years, annualized to 9 responses. The total additional expense resulting from this requirement would be \$13.50 (2 x \$6.75 (13 x \$0.52)), averaged over three years to **\$4.50 (\$5)**.

IFQ Permanent & Temporary Transferability=

It is estimated that IFQ transfer submission would cost \$0.42 postage and \$0.10 copy fees per transfer application (\$0.52 total). Since NMFS anticipates approximately 65 transfers per year, the resultant cost burden would be **\$34** per year (65 x \$0.52).

Fees and Cost Recovery

It is estimated that it would cost \$0.42 in mailing fees and \$0.10 in copy fees to mail a cost recovery annual bill. Since it is estimated that there will be 13 permanent IFQ Allocation permit holders that would each receive a six page bill and report, annually, the additional expense resulting from this requirement would be **\$13.26 (\$13)** (13 x (0.42+ (\$0.10 x 6 =\$.060) = \$1.02).

Recreational Permits and Reporting Requirements

According to NMFS VTR data, 32 vessels have landed tilefish from 1996 through 2005. It is expected that all of these vessels will apply for a CP vessel permit in order to maintain flexibility in their operations. Since these vessels are likely to already hold permits for other CP fisheries, and the CP permit will remain open access, it is not likely that additional burden (public costs or government costs) will be incurred.

IFQ Reporting Requirements

As these reports are made through the IVR system, there is no cost incurred.

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

A full summary of the cost to the public associated with this collection of information can be found in Table 2.

TABLE 2

GOVERNMENT COST							
requirement	# entities	items entity	per	total items	Cost item	per	total cost
Permit Application (IFQ) (3-year average)	19.33	1		19.33	\$33		\$638
Appeals (3-year average)	11	1		11	\$25		\$266.67
Ownership Cap Forms	9	1		9	\$4.17		\$37.32
IFQ Allocation Transfer Applications (temporary and permanent)	65	1		65	\$13		\$812.50
Cost Recovery Programming Cost (3-year average)	13	1		13	\$2		\$8.34
TOTAL							\$1,762.83

IFQ Permit Allocation

The estimated average cost to the Federal Government to issue a Federal fishery permit (including the time to process all applications) is \$33 per permit (1 hour and 20 minutes, at an hourly rate of \$25), including labor, printing, distribution, computer time, and handling. In the 1st year there would be 32 IFQ initial applications. The following 2 years, there would be 13 IFQ renewal applications over the two years. Therefore it would cost on average over a three year period an estimated **\$638** per year ($32+13+13 = 58 \times \$33 = \$1,914/3$) to process all Tilefish IFQ Permits.

The annual estimated cost to the Federal Government is estimated to be \$25 for processing appeals. It is estimated that there would be 32 appeals the first year, annualized over 3 years, which would increase the annual government burden by **\$266.67** ($(32 \times \$25)/3$ years).

IFQ Share Accumulation

It is estimates that it would take 10 minutes to process each IFQ Allocation Ownership Interest Declaration form. Since there would be approximately 13 forms per year, at an hourly rate of \$25, the annual government burden would be **\$54** ($13 \times 10 \text{ minutes}/60 \text{ minutes} \times \25).

IFQ Permanent & Temporary Transferability

It is estimated that it would take 30 minutes to process each transfer request. Since it is estimated that NMFS would process approximately 65 transfers per year, the annual government cost would be **\$812.50** ($65 \times 30 \text{ minutes}/60 \text{ minutes} \times \25).

Fees and Cost Recovery

Cost recovery payments would be collected through www.pay.gov, an established government payment collection program. It is anticipated it would take one hour to program www.pay.gov to accept payment from IFQ permit holders. Once the program has been programmed to accept payment from www.pay.gov, there would be no additional cost to the government since the tilefish cost recovery program would be completely automated. At an hourly rate of \$25, the annual government burden would be \$25 for the first year only, or an annualized burden of **\$8.34** (\$8).

Recreational Permits and Reporting Requirements

According to NMFS VTR data, 32 vessels have landed tilefish from 1996 through 2005. It is expected that all of these vessels will apply for a CP vessel permit in order to maintain flexibility in their operations. Since these vessels are likely to already hold permits for other CP fisheries, and the CP permit will remain open access, it is not likely that additional burden (public costs or government costs) will be incurred.

IFQ Reporting Requirements

This submission will not incur additional annualized costs beyond what is already accounted for in the IVR portion of the current submission of OMB Control No. 0648-0202.

15. Explain the reasons for any program changes or adjustments.

This is a new program.

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

Results from this collection may be used in scientific, management, technical or general informational publications such as Fisheries of the United States which follows prescribed statistical tabulations and summary table formats. Data are available to the general public on request in summary form only; data are available to NMFS employees in detailed form on a need-to-know basis only.

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.

NA.

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

NA.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are employed in the information collection procedures.