

**JUSTIFICATION FOR CHANGE
ATLANTIC HMS PERMIT FAMILY OF FORMS
OMB CONTROL NO. 0648-0327**

The National Marine Fisheries Service's (NMFS) HMS Management Division recently published a final rule for Amendment 3 to the 2006 Consolidated HMS Fishery Management Plan (FMP). Under the final rule for this action, effective at the beginning of the 2012 smoothhound fishing season, NMFS requires owners of vessels that fish for, take, retain, or possess smoothhounds (smooth dogfish and Florida smoothhounds) with an intention to sell, to obtain a Federal commercial smoothhound permit. The Federal commercial smoothhound permit will be a new permit administered out of the Northeast Region (NERO), due to the overlap with other similar fisheries, such as the spiny dogfish fishery, which are also administered out of NERO.

In addition to this new permit, the commercial smoothhound fishery will also be added to the NERO Federal Fisheries Initial Permit Application form. The smoothhound fishery option will be added as one line to this form, in the area where applicants would need to specify gear codes to indicate the gear they expect to use in the smoothhound fishery. NMFS is requesting that this addition of the smoothhound fishery to the initial permit application form be covered by OMB Control No. 0648-0327 until OMB Control No. 0648-0202, which covers the rest of the Northeast Region Federal Fisheries Initial Permit Application form, is up for renewal as of 4/30/2013, when the information regarding this addition will be merged into that information collection.

The new form will be created for fishermen who already possess a federal fishing permit administered by NERO but who are applying for the new, open access Federal commercial smoothhound permit. This form is anticipated to become obsolete as fishermen with other NERO permits obtain a smoothhound permit. Once fishermen obtain the smoothhound permit, renewal will require only completion of the smoothhound gear line on the main federal fisheries permit application form.

Reporting burden:

Minor change to the Northeast Region Federal Fisheries Initial Permit Application form:

The addition of the smoothhound fishery to the Northeast Region Federal Fisheries Initial Permit Application form will require fishermen to specify the type of gear they will use in the smoothhound fishery. However, as the gear codes for the different gear types are provided on the form, this addition is not anticipated to add to the current burden hour estimate associated with the Northeast Region Federal Fisheries Initial Permit Application form (which is currently 45 minutes). Applicants would simply need to fill in the gear code associated with the gear type. This addition is also not expected to increase the number of respondents for this form.

New application for smoothhound permit:

The collection of information under the new application form for the smoothhound permit is anticipated to result in an initial 4,000 responses for fishermen who are already part of the NERO permitting system, but who will want to apply for the new, open access Federal commercial smoothhound permit. NMFS estimates that it would take approximately 30 minutes for fishermen to fill out the new form. Therefore, the burden associated with the new form would be 2,000 burden hours (4,000 respondents x 30 minutes = 120,000 minutes/60 minutes = 2,000 hours). As mentioned above, once these fishermen have the smoothhound permit, they will no longer need the initial smoothhound application, and thus, this form is anticipated to become obsolete in a few years.

Total new responses would be 44, 594 (current 40,594 plus 4,000 new responses). Total new hours would be 10,556 (current 8,556 plus 2,000 additional hours).

There is no charge associated with the new smoothhound permit. However, if fishermen print out the form and mail it to NERO, fishermen would incur postage. The total annual cost to the public for mailing in the form would be \$1,760 (4,000 applications x \$0.44 = \$1,760). The total annual cost to the public from 0648-0327 is \$1,232,168. Therefore, the combined new total annual costs would be \$1,233,928.