

**JUSTIFICATION FOR CHANGE
SOUTHEAST REGION PERMIT FAMILY OF FORMS
OMB CONTROL NO. 0648-0205**

The implementation of RIN 0648-AW12, effective January 1, 2010, required the collection of the percentage of ownership in corporations, not only for Gulf red snapper Individual Fishing Quota (IFQ) fishermen, but also for Gulf grouper and tilefish IFQ fishermen, as well as any Gulf reef fish permit holders that could buy into one of the IFQ programs: § 622.20(c)(3)(6)(i) "A corporation must provide to the National Marine Fisheries Service Regional Administrator (RA) the identity of the shareholders of the corporation, by December 1, 2009, for initial issuance of IFQ shares and allocation, and provide updated information to the RA within 30 days of when changes occur. This information must also be provided to the RA any time a commercial vessel permit for Gulf reef fish is renewed or transferred." The revision to OMB Control No. 0648-0205 requesting this information collection was approved 8/6/2008.

A change request approved on January 9, 2010 extended this requirement to all Southeast Region Federal Exclusive Economic Zone (EEZ) permit holders who are members of a corporation, so that the "percentage of company ownership" checkbox currently included as part of ownership information in Section 4 of the permit application would now apply to all corporate shareholders.

In the two different requests to add this information collection, a change to the separate Federal Permit Application Form for Wreckfish Off The South Atlantic States was overlooked.

Therefore, at this time, we are asking to add to that form, an Officer/Shareholder Information section (Section 4) with the same format and content of application form for the Federal Permit for Vessels Fishing in the EEZ. This section, in addition to percentage of an individual's share in a wreckfish quota shareholder which is a corporation, includes contact information, Tax ID No., date of birth and an indication if entity is an individual, sole proprietor, joint owner, partnership, corporation or other and what position is held (e.g. president, vice president, etc.).

Justification: The collection of percent ownership in a corporation from the twenty-six (26) Wreckfish Shareholders fulfills the same purpose as for the collection of information for other EEZ permit holders: it would satisfy the requirements of the Regulatory Flexibility Act (RFA), which requires an evaluation of the economic effects on small entities to ensure that the small entities are not disproportionately affected by proposed regulation relative to large entities. The determination of whether an entity is a small or large business entity is based on the total receipts of the entity including all of its affiliates. Because fleet ownership is known to exist in Southeast fisheries, the number of individual permits in a given fishery is insufficient to determine both the number of entities and their status as small or large entities. For a business that is incorporated, information on percent ownership in the corporation is needed to determine this information.

Additional changes to the wreckfish permit application form, also in line with the current application form for a Federal Permit for Vessels Fishing in the EEZ:

New vessel data elements: vessel U.S. Coast Guard documentation and State Registration (as opposed to either/or), Hull ID number, Hailing port county, Gross Tons, Net Tons, Year Built, Length, Total HP, Crew Size, Fish hold, Hull material, Fuel Data and Product Storage.

For Entities (Vessel owners and lessees): both mailing and physical address, and role and position in a corporation, as in the Shareholder section.

All changes are highlighted on the form.

As the previous application form's stated response time of 20 minutes was in retrospect overly generous, we estimate that no additional time will be needed to complete the revised form.