

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

The National Marine Fisheries Service's (NMFS) Highly Migratory Species (HMS) Management Division is preparing a Final Rule, RIN 0648-BA45, to, among other things, authorize the retention of swordfish incidentally caught in the Atlantic *Illex* squid trawl fishery on vessels that have been issued both an Incidental HMS Squid Trawl Permit and an *Illex* squid moratorium permit. The federal Incidental HMS Squid Trawl Permit will be a new permit administered by the Northeast Regional Office (NERO), which is the same Office that currently administers the *Illex* squid moratorium permit. The only prerequisite to obtain an Incidental HMS Squid Trawl Permit is for the vessel to hold one of seventy-nine limited access *Illex* squid moratorium permits.

In addition to this new permit, NMFS will add the option (checkbox) of choosing the Incidental HMS Squid Trawl Permit onto the NERO Federal Fisheries Initial Permit Application form (OMB Control No. 0648-0202). The option for the Incidental HMS Squid Trawl Permit will be added as a third "Limited Access Categor[y]" option in the squid, mackerel, and butterfish fishery, along with *Loligo*/butterfish and *Illex* squid moratorium permits. NMFS is requesting that this change to add the incidental HMS squid trawl fishery to the NERO Federal Fisheries Initial Permit Application form be covered by OMB Control No. 0648-0327 until OMB Control No. 06480202, which covers the rest of the Northeast Region Federal Fisheries Initial Permit Application form, is up for renewal (current form expires on 4/30/2013). At that time, the information regarding the addition of the Incidental HMS Squid Trawl Permit to the NERO Federal Fisheries Initial Permit Application form will be combined with that information collection and will be covered under OMB Control No. 0648-0202.

For the initial issuance, a new application will be created for fishermen who already possess a federal fishing permit administered by NERO, but who are applying for the first time for the new, federal Incidental HMS Squid Trawl Permit. This new application will be pre-printed with vessel and owner information for each of the existing *Illex* squid moratorium permit holders. This pre-printed application, along with a letter explaining the specifics of the new permit, will be mailed to each *Illex* squid moratorium permit holder. This form will become obsolete as fishermen with an *Illex* squid moratorium permit obtain a federal Incidental HMS Squid Trawl Permit. Once fishermen obtain this permit, renewal will require only *Illex* squid moratorium permit holders to circle the Incidental HMS Squid Trawl Permit option in the squid, mackerel, and butterfish fishery line on the main federal fisheries permit application form.

Reporting burden:

*New application for the Incidental HMS Squid Trawl Permit:*

The collection of information under the new application form for the Incidental HMS Squid Trawl Permit is anticipated to result in an initial 79 responses for fishermen who are already part of the NERO permitting system, but who may wish to apply for the new Incidental HMS Squid Trawl Permit. NMFS estimates that it will take a maximum of 15 minutes for fishermen to fill

out the new form. Therefore, the burden associated with the new permit application form will be approximately 20 burden hours (79 respondents x 15 minutes = 1,185 minutes/60 minutes = 19.75 (20) hours).

**During the initial issuance phase, the total responses will increase to 44,673 (current 44,594 plus 79 new responses). The total burden hours, including the burden hours associated with filling out the new form, will be 10,576 hours (current 10,556 plus 20 additional hours).**

After the initial issuance, the number of responses and total burden hours would return to previous estimates.

There is no charge associated with the new Incidental HMS Squid Trawl 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 \$35 (79 applications x \$0.44 = \$35). The current total annual cost to the public from 0648-0327 is \$1,233,928; **therefore, the combined new total annual costs would be \$1,233,963 (\$1,233,928 plus \$35).**

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

The addition of the new Incidental HMS Squid Trawl Permit to the Northeast Region Federal Fisheries Initial Permit Application form will require fishermen to indicate that they wish to renew or obtain this permit. 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 circle the Incidental HMS Squid Trawl Permit option in the squid, mackerel, and butterfish fishery line on the main federal fisheries permit application form. This addition is also not expected to increase the number of respondents for this form, since it will be available only to vessels that currently hold the *Illex* squid moratorium permit administered by NERO.