

**NON-SUBSTANTIVE CHANGE REQUEST
INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
OMB CONTROL NUMBER 0648-0387**

The National Marine Fisheries Service (NMFS) is proposing regulations under authority of the Tuna Conventions Act of 1950 to implement three resolutions adopted by the Inter-American Tropical Tuna Commission (IATTC) in July 2011, including the Resolution on Tuna Conservation 2011-2013 (C-11-01), the Resolution Prohibiting Fishing on Data Buoys (C-11-03), and the Resolution Prohibiting the Retention of Oceanic Whitetip Sharks (C-11-10). The proposed regulations to implement these tuna conservation measures would amend the Pacific tuna fisheries regulations at 50 CFR part 300, subpart C. These revisions would ensure that the United States (U.S.) is satisfying its obligations under the Tuna Conventions Act while dismantling artificial regulatory constraints preventing economic development of the U.S. industry.

This rule, RIN 0648-BA66, amends current tuna conservation measures in the longline and purse seine fisheries operating in the IATTC Convention Area by (1) reducing the duration of the purse seine closure period in the Convention Area from 73 to 62 days in 2011 and continuing this purse seine closure period in 2012 and 2013; (2) allowing each individual vessel owner to choose between two closure periods each year rather than requiring the entire U.S. fleet to adhere to one closure period; (3) continuing the high seas purse seine time/area closures in 2012 and 2013; (4) continuing the 500 metric ton bigeye tuna quota for large-scale longline vessels for 2012 and 2013; and (5) renewing the tuna retention program in the purse seine fishery.

In addition, this rule would amend regulations for fisheries targeting HMS in the IATTC Convention Area by (1) prohibiting fishing vessels from interacting with data buoys; (2) prohibiting longline and purse seine vessels from fishing within one nautical mile of anchored data buoys; (3) prohibiting the retention, transshipment, landing, storing, selling, or offering for sale any part or whole carcass of oceanic whitetip sharks, and (4) requiring vessel owners/operators to release unharmed, to the extent practicable, oceanic whitetip sharks when brought alongside vessels.

The only aspect of this rule that will effect a change in this information collection is the addition of a provision that requires purse seine vessel owners or managers to provide written notification (via fax) to NMFS declaring which purse seine closure period he or she will be adhering to in 2012 and 2013. If the vessel owner does not respond by a specified date (July 1) for each applicable year, they are required to adhere to the later closure period by default. The number of respondents (116) is not expected to change as a result of this rulemaking. It is estimated that about ten of the respondents would be required to provide this closure information. Vessel owners or managers will need to provide the following information:

- (i) Name and official number of fishing vessel
- (ii) The closure period the vessel will adhere to in that year
 - a. The two options are July 29 to September 28, or November 18 to January 18 of the following year
- (iii) The vessel owner or managing owner's name and signature

Additional annual burden: 10 x 10 minutes = 1 hour, 40 minutes; new total burden for this information collection: 410 hours, 40 minutes (411 hours) (previously 409 hours per year).

Additional annual cost: (10 x \$6 = \$60; new total cost: \$1,399 (previously \$1,339).