

**JUSTIFICATION FOR CHANGE
SOUTHEAST REGION IFQ PROGRAMS
OMB CONTROL NO. 0648-0551**

With the revision of the wreckfish Individual Transferable Quota (ITQ) program, through the final rule implementing Amendment 20A to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region, per RIN 0648-AY74, effective 30 days after the publication of the final rule, NMFS must implement a process to allow participants in the South Atlantic wreckfish ITQ program to submit an appeal of ITQ landings information. Participants needing to appeal would be required to submit documentation, including NMFS' logbooks or state landings records to support their appeal.

As will be stated in § 622.15(a)(1)(iv), appeals must be submitted to the Regional Administrator (RA) postmarked no later than 90 days after the effective date of the final rule and must contain documentation supporting the basis for the appeal. The only items subject to appeal are the status of wreckfish quota shares, as active or inactive, and the accuracy of the amount of landings. The RA will review and evaluate all appeals, render final decisions on the appeals, and advise the appellant of the final decision. Appeals based on hardship factors will not be considered. The RA will determine the outcome of appeals based on NMFS' logbooks. If NMFS' logbooks are not available, the RA may use state landings records. Appellants must submit NMFS' logbooks or state landings records, as appropriate, to support their appeal.

There are currently 10 wreckfish shareholders to which the above requirement could apply if they chose to submit an appeal. NMFS would like to add the appeals process to the ITQ program.

As always, only appropriate NOAA Fisheries Service personnel will have access to this information.

In the information collection request related to the wreckfish ITQ program implementation, RIN 0648-AD57 (57 FR 7886, March 5, 1992), the burden for the appeals process for the wreckfish ITQ fishermen was not included. Therefore, we are now requesting additional burden for the 10 respondents that may need to submit an appeal of ITQ landings information; a maximum additional 2 hours would be required, for an annual total of 20 hours.

There are already four wreckfish ITQ respondents under OMB Control No. 0648-0551. We are adding 6 respondents, 10 responses (which could come from any of the existing or added respondents), and 20 hours. The only reporting/recordkeeping costs would be for mailing appeals (10 x \$0.45 = \$4.50). Total additional annual costs would be \$4.50 (\$5).

Thus, the respondent, response, burden and cost estimate, for OMB Control No. 0648-0551 will increase from 1,644 to 1,650, from 28,244 to 28,254, from 2,283 to 2,303 and from \$980,499 to \$980,504.