

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

This request is for a change to the existing reporting requirements that are currently approved under OMB Control No. 0648-0205, Southeast Region Permit Family of Forms, in association with final rule, RIN 0648-BD81, Amendment 8 to the Fishery Management Plan (FMP), developed under the authority of the [Magnuson-Stevens Act](#) (MSA), 16 U.S.C. 1801, for Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region.

The final rule, RIN 0648-BD81, establishes a transit provision to allow fishing vessels with rock shrimp aboard to transit the Oculina Bank Habitat Area of Particular Concern (HAPC) under limited circumstances. To be considered to be in transit and thus excepted from the prohibition on possessing rock shrimp in the Oculina Bank HAPC, a vessel must have a valid commercial permit for rock shrimp, and would be required to maintain a direct and non-stop continuous course at a minimum speed of 5 knots as determined by an operating Vessel Monitoring Systems (VMS) approved for the South Atlantic rock shrimp fishery onboard the vessel that registers a VMS ping (signal) rate of 1 ping per 5 minutes, and the vessel's gear would be required to be appropriately stowed. This transit provision would allow rock shrimp fishermen to access additional rock shrimp fishing grounds in less time and using less fuel than if the fishermen were required to travel around the Oculina Bank HAPC.

NMFS received one comment on the proposed rule related to the information collection requirements (namely, regarding the requirement for VMS on rock shrimp vessels). The comment stated that Amendment 8 is not based upon the best available science because the analysis to determine the location of fishing and the socio-economic impacts of proposed extensions to the HAPCs was based on VMS data. The assumption that each VMS point should be given equal value is incorrect. Amendment 8 should have included trawl track data generated from WinPlot software matched up to trip ticket information from the state of Florida. Trawl track data may be more easily correlated with trip ticket information than VMS data to determine location and value of catches.

NMFS responded that NMFS requires VMS to monitor the rock shrimp fishery. VMS data were used in Amendment 8 to determine location of fishing effort and economic impacts. WinPlot is charting software used by some commercial fishermen including the rock shrimp fishery, and is not required by NMFS. Trawl track data from WinPlot were used by the Deepwater Shrimp Advisory Panel during its May 2013 meeting to modify the northern extension of the Oculina Bank HAPC. The revised recommendation by the Deepwater Shrimp Advisory Panel was developed to reduce fishery impacts where traditional fishing activity occurs. The Deepwater Shrimp Advisory Panel recommendation followed more closely the rock shrimp trawl track data and not a specific depth contour. The Deepwater Shrimp Advisory Panel's recommended

alternative for the proposed northern extension of the Oculina Bank HAPC was adopted by the Council as their preferred alternative in June 2014.

During the development of Amendment 8, the Council did not have access to trawl track data from WinPlot matched up to trip ticket information to determine the socio-economic impacts of the proposed extensions to the HAPCs. The possible inclusion of trawl track data from rock shrimp vessels in Amendment 8 was discussed at Deepwater Shrimp and Habitat Advisory Panel meetings. At its June 2014 meeting, the Council made a motion to update information on the rock shrimp fishery including VMS data through 2014, bycatch information from observer trips on rock shrimp vessels, detailed mapping information from the proposed northern extension of the Oculina Bank HAPC, observations on algae in the southern area of the rock shrimp fishery, and rock shrimp landings, trip cost, and value through 2014.

Based on updated information, no new or upgraded VMSs will be needed, and thus no new activation checklists will be required by RIN 0648-BD81; therefore, no burden or cost will be added to this collection. The responses, hours and total costs for this collection would remain the same at: 13,577, 6,138 and \$539,949, respectively.