




UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

MEMORANDUM FOR: Howard Shelanski
Administrator, Office of Information and Regulatory Affairs
Office of Management and Budget

FROM: Eileen Sobeck 
Assistant Administrator
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
U.S. Department of Commerce

SUBJECT: Request for Emergency Review and Approval of a Revision to
OMB Control No. 0648-0605 - Information Collection for
Amendment 16 to the Northeast Multispecies Fishery Management
Plan (Final Rule 0648-BE75)

We are seeking emergency Paperwork Reduction Act (PRA) clearance of a measure in Framework Adjustment 53 to the Northeast Multispecies Fishery Management Plan to require vessels that declare trips into the Gulf of Maine Broad Stock Area and any other broad stock area (i.e., Georges Bank (GB) or Southern New England) on the same trip to submit a daily catch report via vessel monitoring system (VMS). Emergency clearance is requested to allow implementation of the daily VMS reporting requirement on May 1, 2015, concurrent with the effective date of Framework 53, and the implementation of a substantial reduction to the Gulf of Maine (GOM) cod catch limit. We have determined the daily reports are necessary to promote more accurate trip declarations and catch reporting from vessels, which will lead to a stronger likelihood that the GOM cod trip limit will not be exceeded.

The most recent stock assessment for GOM cod indicated that this stock is at a historically low abundance level. NOAA's National Marine Fisheries Service is implementing a range of measures in Framework 53 to reduce overfishing, protect aggregations and spawning, and keep GOM cod on a rebuilding trajectory. The proposed rule for Framework 53 published on March 9, 2015, and the comment period closed on March 24, 2015.

The proposed catch limit for GOM cod is very low (386 mt), and vessels will be able to catch both GOM cod and GB cod, which has a much higher proposed catch limit (1,886 mt) on the same trip. In the proposed rule, we noted concern that the low GOM cod quota provides a strong incentive to misreport (i.e., report GOM cod catch on unobserved trips as GB cod), or underreport catch. We also received public comments from state governments, environmental groups, and industry groups raising the same concerns.

While vessels fishing in multiple broad stock areas are currently required to submit trip-level VMS catch reports (approved under OMB Control No. 0648-0605), we determined that a daily report will help us better ensure accurate apportionment of cod catch to the GOM and GB stock areas, and help enforcement efforts. The daily reports will assist NOAA Office of Law Enforcement officers and U.S. Coast Guard officials in identifying misreporting during their compliance checks. Ultimately, this will allow us to effectively track and control mortality on the GOM cod stock. We also expect the daily reports to promote more accurate trip declarations and catch reporting from vessels, given that the daily VMS reporting requirement can be avoided (meaning only the trip-level report would be required) if vessels do not intend to fish in the GOM Broad Stock area.

Delaying implementation of the daily VMS trip reporting requirement to receive approval of this information collection under the normal timeframe limits our ability to enforce the GOM cod catch limits during the first few months of the fishing year. During the 2014 fishing year, GOM cod landings reached 65 mt from May 1 to June 1. While this suggests that, if catch occurred at a similar pace, less than a quarter of the 2015 GOM quota would be landed during this period, there are additional circumstances, namely higher quotas for co-occurring stocks, that suggest that landings may occur more quickly over the same period this year. The 2014 quota for GOM haddock, which co-occurs with cod, was only 220 mt, but the quota for 2015 will be 1,375 mt. We expect that the availability of additional haddock quota could increase the pace of catch of GOM cod. In addition, there is anecdotal evidence of increased cod availability over the past year from fishermen. Thus, expediting the approval of this reporting requirement is essential to our efforts to minimize GOM cod mortality. *Per the Paperwork Reduction Act regulations, 5 C.F.R. Part 1320.13, we believe that use of this emergency process is essential to the mission of the agency, and the agency cannot reasonably comply with the normal clearance procedures under this part because public harm is reasonably likely to result if normal clearance procedures are followed.*

We are requesting approval of this request by May 1, 2015.