

**JUSTIFICATION FOR CHANGE
NORTHEAST REGION PERMIT FAMILY OF FORMS
OMB CONTROL NO. 0648-0202**

The National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) proposes adding the reporting of slippage events to existing vessel monitoring system (VMS) reporting requirements in the Atlantic herring fishery. The Magnuson-Stevens Act (402(a)(2)), in conjunction with regulations at 50 CFR Part 648.7, provide NMFS with the authority to revise fishery reporting requirements as necessary to monitor a fishery management plan. Recognizing the importance of timely information to better monitor catch and address slippage in the herring fishery, NMFS proposes requiring the reporting of all slippage events on the daily VMS catch report through Framework Adjustment 4 to the Atlantic Herring Fishery Management Plan (0648-BE94).

All limited access herring vessels are currently required to submit daily VMS catch reports. Vessels currently report the following information via the VMS catch report: Vessel name, vessel trip report serial number, date, the amount of herring discarded and retained, and total fish kept by area. Under Framework 4, all limited access herring vessels carrying an observer will be required to report all slippage events on the daily VMS catch report. Additionally, if a slippage event occurred, this action will require that operators indicate the reason for slippage.

Time burdens that were previously approved through OMB Control Number 0648-0202 include an estimated burden of 5 minutes to complete daily VMS catch reports, with an additional 2 minutes if the vessel is also reporting all fish kept. The proposed changes would not increase the completion time. The previously approved cost estimates were calculated per transmission of daily VMS catch reports, this action would not increase the number of transmissions. Finally, costs to the government to process daily VMS catch reports were already captured in previous collections.

NMFS published a proposed rule for Framework 4 which solicited comments for this request on August 27, 2015 (80 CFR 52005), and the comment period ended on September 28, 2015. NMFS received four comment letters on the proposed rule. Two of the letters supported this collection-of-information request, while the other two letters were silent on this collection-of-information request. Below are the two applicable comments and responses:

Comment 1: The Herring Alliance supports proposed measures in Framework 4 that would clarify the slippage definition and require slippage to be report via the daily VMS catch report.

Response: NMFS is implementing measures to clarify the slippage definition and require slippage to be reporting via the daily VMS catch report.

Comment 3: The Sustainable Fisheries Coalition supports minor clarifications and corrections to existing measures because it believes they are not a substantive change to current regulations and are consistent with the Herring FMP. The Sustainable Fisheries Coalition also supports categorizing catch not brought on board due to gear damage as an allowable slippage

event and catch that falls out of or off gear as a discard event. The Sustainable Fisheries Coalition supports continuing to allowing operational discards in the herring fishery, except on board herring vessels fishing in the Groundfish Closed Areas, noting that the costs of prohibiting operational discards would likely outweigh any benefits. Lastly, the Sustainable Fisheries Coalition has no objection to the proposed requirement to report slippage via the VMS daily catch report.

Response: NMFS agrees with the Sustainable Fisheries Coalition and the measures implemented in this final rule are consistent with the Sustainable Fisheries Coalition recommendations.