

**SUPPORTING STATEMENT
WEST COAST REGION – SEATTLE
FEDERAL FISHERIES PERMITS
OMB CONTROL NO. 0648-0203**

INTRODUCTION

This request is for extension, with some revisions, of this collection of information required by National Marine Fisheries Service (NMFS), West Coast Region – Seattle (WCR-SEATTLE). There are minor changes to individual information collections.

This statement addresses data collections authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP), developed by the Pacific Fishery Management Council (PFMC) under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#), U.S.C. 1801 *et seq.* (Magnuson-Stevens Act). The FMP governs the groundfish fishery off Washington, Oregon, and California (WOC). In addition, this statement includes data collections required to issue exempted fishing permits (EFP) as prescribed at [50 CFR 600.745\(b\)\(2\)](#).

Section 303(b)(1) of the Magnuson-Stevens Act specifically recognized the need for permit issuance. Almost every international, federal, state, and local fishery management authority recognizes the value of and uses permits as an integral part of their management systems.- Identification of the participants, their gear types, descriptions of their vessels, and expected activity levels are needed to measure the consequences of management controls, and is an effective tool in the enforcement of other fishery regulations. Experience has shown that fines for violations of specific fishery regulations are not as effective as the threat of a permit revocation that would exclude the vessel from the fishery altogether.

Responses to the items in the supporting statement are broken out by the various type of permit function: 1) application and reporting requirement for an exempted (experimental) fishing permits (EFPs) and 2) transfer and renewal of Pacific Coast groundfish limited entry permits (LEPs), including other information collections necessary for the sablefish permit stacking program. For each section of the information collection, we have presented the total number of burden hours and cost burden.

Currently, there are 397 limited entry permits of which 164 permits have a sablefish endorsement. The number of EFPs varies from year to year dependent on the number of applications submitted to and approved by PFMC and NMFS.

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

Exempted Fishing Permits (EFPs)

The requirements for EFP applications are prescribed at 50 CFR 600.745 (b)(2). Exempted (previously called "experimental") fishing permits are issued to applicants to conduct fishing activities that would otherwise be prohibited by regulation. The exempted fishing permits are

issued to conduct limited experimental/research activities in support of projects that may benefit the groundfish fishery and the environment. The intent is to respond to changes in the resource, fishery and other applicable law, and to requests of the public or government, resulting in better management of the fishery resource.

Section 301 of the MSA, 16 U.S.C. 1851(a) provides national standards for fishery management plans and regulations. Standard One requires that “Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery.... To comply with this standard and effectively manage a fishery, NMFS needs to know the amount and species of fish will be caught, where and how fish will be caught, and the catch disposition. Exempted fishing, by definition, is fishing outside of the standard regulations. To control this fishing and determine the extent of this fishing, NMFS requires information to determine if granting an exempted fishing permit (EFP) is justified. Further, NMFS collects catch and landing data resulting from these authorized EFP activities. The EFP regulations supplement existing information collections required by the various fishery management plans by establishing minimum standards for these activities. The regulations related to the specific fisheries may impose additional requirements on participants. The regulations do not provide an appeals process for unsuccessful EFP applicants.

Pacific Coast Groundfish Limited Entry Permits (LEPs)

The collection of information for limited entry permits is authorized by Amendments 6, 9, 14 and 20 to the Pacific Coast Groundfish FMP and by [50 CFR 660 Subpart G](#). Amendment 6 initially established the limited entry program. This amendment was approved on September 4, 1992. Amendment 6 to the FMP addressed the issue of excess fleet harvesting capacity by instituting a limited entry program based on the issuance of federal permits to control the overall fleet harvest capacity of the three major gear types (trawl, longline, and fish pot) that account for the majority of the Pacific Coast groundfish harvest. Amendment 6 was intended to control the capacity of the groundfish fishing fleet in three ways: 1) limiting the overall number of vessels; 2) limiting the number of vessels using each of the three major gear types; and, 3) limiting increases in vessel harvest capacity by limiting vessel length. Amendment 6 provided the basic program elements of the limited entry permit program including the requirement to register a vessel to a limited entry permit to participate in the limited entry fishery, initial eligibility and qualification criteria for a LEP, requirements associated with gear and size endorsements, renewal and transfer of permits, and appeal process. Eligibility and registration requirements for the limited entry fishery and permit transfer and renewal requirements are found at 50 CFR 660.25.

Permit appeal requirements are found at 50 CFR 660.25. The appeals process is available to permit owners who have had their LEP transfers or renewal requests denied by NMFS. An appeals request must be made by the permit owner in writing within 30 calendar days of NMFS initial determination and must explain how the requirements for transfer or renewal of a permit have been met and/or provide pertinent information that was not considered by the NMFS in making the initial determination.

In 1993, NMFS carried out a one-time LEP application and issuance process. Vessel owners were required to complete an application for a groundfish LEP and submit proof of their landings

and other evidence relevant to meet the permit qualification criteria. Vessels that met specified minimum landing requirements were qualified to receive a LEP. Each permit has a gear endorsement and a size endorsement which further defines the fishing privilege. Approximately 650 LEPs were initially issued and since that time no additional LEPs have been issued. Currently, there are 397 LEPs. Since the 1993, there has been a reduction in the number of LEPs due to: the Federal buyback program of limited entry permits conducted in 2003; combination of permits where two or more permits are combined to increase the size endorsement increases in a remaining permit (example: if two permits are combined, one permit remains active and the other is permanently expired); and the permanent expiration of permits (due to failure to renew or enforcement sanction).

Amendment 9 to the FMP, which was approved on June 27, 1997, provided for a sablefish endorsement to the limited entry permit. Amendment 9 attempted to respond to a number of problems associated with derby fishery that resulted in short, intense seasons. Among the problems associated with the fishery were ones of safety, product quality and value, abandoned gear, and overcapitalization of the fleet, discards, and lost fishing opportunities. The endorsement limited participation in the fixed gear sablefish fishery to those vessels that demonstrated historical participation in the sablefish fishery. As part of the issuance of this endorsement, permits were given tier designation (1, 2 or 3) based on historic catch which entitles the vessel registered to it to harvest a specific quantity of sablefish beyond the normal trip limits.

In November 2000, the Council approved Amendment 14, which introduced a permit stacking program to the limited entry, fixed gear primary sablefish season. On August 7, 2001, NMFS published regulations that implemented certain provisions of Amendment 14 to the Pacific Coast Groundfish FMP (66 FR 41152). These provisions included the following: 1) authorizes permit/vessel owners to stack (register either simultaneously or cumulatively) up to three sablefish endorsed Pacific Coast Groundfish Limited Entry permits on a single vessel during the primary season in a given year and 2) limits the number of sablefish endorsed permits a person could own or hold (i.e.; lease) at any one time to 3 except if the permit owner had owned more than three sablefish endorsed LEPs prior to November 1, 2000 and 3) prohibited a corporation or partnership from owning a sablefish endorsed permit except if it had owned such permits prior to November 1, 2000. If multiple sablefish endorsed LEPs are stacked to a single vessel, the vessel may land the cumulative sablefish tier amounts and may use any of the gears endorsed on any of the permits. The requirements associated with sablefish endorsements and tier assignments are found at 50 CFR 660.230.

Other provisions of Amendment 14 to the Groundfish FMP were implemented through regulations published on March 2, 2006 (71 FR 10614). This final rule implemented permit stacking regulations that include the following provisions: 1) permit owners and permit holders (vessel owners) that are corporations or other business entities would be required to document their ownership interests in their permits to ensure that no person holds or has ownership interest in more than three permits; 2) an owner on board requirement for permit owners who did not own sablefish-endorsed permits as of November 1, 2000 3) permit transferors would be required to certify sablefish landings at the time of a midseason transfers. These provisions allowed for lengthened duration of the limited entry, fixed gear primary sablefish fishery and supported the objectives of this amendment which include: promote safety in the fishery, provide flexibility to

participants, prevent excessive concentration of harvest privilege, maintain or direct benefits to fishing communities, and reduce capacity in the limited entry fixed gear fleet and thus promotes efficiency. Requirements associated with this rulemaking are found at 50 CFR 660.25, 660. and 660.231.

In addition to these amendments to the Groundfish FMP, Amendment 20 provided for two sector endorsements to select trawl endorsed permits. In 2011, NMFS provided a one-time application process to acquire a catcher processor and a mothership catcher vessel endorsement to the trawl permit. NMFS issued 10 catcher processor endorsements and 37 mothership catcher vessel endorsement to trawl limited entry permits. The catcher processor endorsement allows vessels registered to this permit to participate in the catcher processor fishery which targets whiting at-sea. These 10 catcher processors participate in a single fishing cooperative and the cooperative receives annual sector allocation of whiting and bycatch species. Similarly, vessels registered to a mothership catcher vessel endorsed permit may fish for whiting at sea in mothership fishery and deliver whiting to a mothership for processing. The mothership fishery receives a separate annual allocation of whiting and bycatch species. Owners of the mothership catcher vessel permits can be members of a cooperative. Since 2011, there has been one mothership cooperative and all mothership catcher vessel endorsed permits have been members of the cooperative.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

Exempted Fishing Permits (EFPs)

The information collection for EFPs involves a written application made to the Council and NMFS and if approved, there are specific reporting requirements detailed in the terms and conditions of the permit. EFPs are issued to various applicants and allow them to undertake fishing activities that would otherwise be prohibited by regulation. Every two years the Council will request EFP applications. This coincides with the issuance of bi-annual fishery specifications, which include set asides for research purposes. On a voluntary basis, applicants make an application for an EFP to the Council and to NMFS. An application for an EFP must contain all information required for an EFP application given at 50 CFR 600.745 (b)(2). A narrative description of the proposed activity is required to fully document the proposed project. The PFMC initially reviews EFP applications and makes a recommendation to NMFS on whether to approve or disapprove individual proposals. Subsequently, NMFS conducts its separate review and the recommendation of the Council and either approves or disapproves the individual applications. These decisions are final; there is no appeal process.

The EFP application allows PFMC and NMFS to evaluate the exempted fishing activity and weigh the possible benefits and costs of a particular project. EFPs may lead to better management of the resource by allowing innovation that may resolve existing technological barriers or by providing additional scientific and management data. The total number of EFP applications and the proposed activities described in EFP applications may vary for each exempted fishery. An EFP is usually valid for two years or less. The approval of an EFP project

by the PFMC and NMFS may result in several individual EFPs being issued to sponsoring organizations and participating vessels or processing plants. Such EFPs are required to hold participants individually accountable for their activities under the terms and conditions of the overarching EFP project.

An application from a sponsor organization (i.e.; state agency, non-profit organization) or individual or entity includes a statement of the purposes and goals of the exempted fishing activities, with justification for issuance of the EFP; the species (target and incidental) and amounts expected to be taken under the EFP; the disposition of the catch; anticipated impacts on marine mammals or endangered species, description of project activities and names and responsibilities of participants. Information on the vessel (including a copy of the United States Coast Guard (USCG) documentation, state fishing license, state vessel registration, or the information from those documents), gear used, fishing area, and dates of fishing is needed for identification of the participants at sea, and for boardings and inspections by NMFS enforcement vessels or overflights. The information also precludes substitution of gear or vessels that may otherwise be prohibited by other regulations in effect. Information on the gear being assists in making management decisions, since it helps show how gear restrictions affect the members of the fishery. Gear, fishing areas and duration and timing of fishing activities may be important factors to consider in determining appropriate permit conditions to attach to the EFP. Similarly, information from processors (first receivers) about offloads of fish caught under an EFP may require information about plans to weigh, sort and process fish, efforts to monitor these activities, and details on the data to be collected and documented.

The information collection for a processor or vessel participating in an EFP project (overseen by sponsored organization) includes: applicant name, address and telephone number, date of birth (DOB) of the vessel operator and/or vessel owner or plant manager; vessel name and official number; Pacific Coast Groundfish limited entry permit number; and date of the application. If a business entity owns the vessel a Tax Identification Number (TIN) may be required. This information is used to identify the permit applicant and the legal ownership of the processor or vessel to be registered to the permit. The collection of this information is essential to comply with the regulations and for enforcement purposes. The TIN/DOB allows enforcement to conduct an enforcement check prior to issuing the EFP. For example, violations of catch regulations may result in disqualification of EFP applicant and/or suspension or revocation of a permit. Since many vessels are owned by corporations, identification of the owner on the application form allows NMFS to sanction the company as well as the individual vessel operator for repeated violations of federal regulations. Telephone and fax numbers are required so that NMFS staff can contact applicants to resolve outstanding issues in a quick and efficient manner, or to notify permit holders of the need to cease fishing activities.

Supplemental application information may be requested. For example, other information on the physical vessel characteristics such as hold or fuel capacity, units and size of gear, or refrigeration capability may be used to inventory the relative fishing power of each craft. This information may be used in estimating the effects of fishing effort on the biological status of stocks, or to assist NMFS in its national security role for the Federal Emergency Planning Administration. In some cases EFPs are issued allowing the permit holder to keep fish (made available as a research set-aside) in compensation for collecting resource survey information according to a NMFS-approved protocol. In these cases the application must state that the

vessel's participation is contingent upon compensation. In other EFPs, the participating vessels fish what is normally available under current regulations.

An authorized representative of the vessel/processor owner or applicant organization must sign the EFP application to certify that the information provided is correct and true and that the applicant is eligible to receive a permit under the other FMP regulations. The signed document provides NMFS evidence that the applicant attests to the authenticity of the application. If there are false statements or misrepresentations made by the applicant, a signed document will be important in successfully taking legal actions against the permit holder. All of the information in this section is needed to help effectively evaluate the proposed fishing activity, its scope and impacts, and to determine whether the activity is appropriate and whether it should be approved or disapproved. NMFS also requires an authorized representative to sign the EFP certifying that they and all vessel operators, crew, owners and applicant staff understand and will comply with the terms and conditions.

After an EFP is approved, the permit holder will be required to provide various reports and information as required by the terms and conditions of the EFP. The types of reports and information submitted under EFPs vary according to the nature of the EFP. In some cases the applicant is a state requesting permits for multiple vessels, and the state is required to collect catch information from the vessels and submit summary reports. Participating vessels may be required to have an observer. The frequency of data reports depends upon the nature of the fishery and monitoring requirements set by NMFS. The frequency may start as bi-weekly, go to weekly, and then every 2-3 days when the remaining allocation is small (the normal season is 10-12 weeks). In other cases where only individual vessels are involved, a data report submitted at the end of the fishing trip covered by the permit or a vessel may need to provide logbooks after a trip or at some other prescribed interval. Also, vessels and/or first receivers may be required to provide notifications to enforcement or fishery monitors in advance of EFP trip or offload. Some EFPs' objective is to test reporting and monitoring systems on a large scale that may require the purchase of electronic equipment. Equipment costs are usually covered by one of the many federal grant programs targeted at supporting this type of research.

For all EFPs, NMFS will require a final report (and sometimes interim reports) that presents the results of the EFP project. The latter is important for NMFS and the Council in considering changes in management requirements based on the EFP results or to determine whether further research or data collection is required.

Limited Entry Permits (LEPs)

Annual Permit Renewal: All permit owners are required to renew each LEP on an annual basis as given at 50 CFR 660.25. There are currently 397 valid LEPs. NMFS is required to mail a permit renewal form and instruction letter to all permit owners on or before September 15th of each year. Payment of the renewal fee and signed/dated form is due to the NMFS by November 30th each year. Failure to renew the LEP by December 31st may result in permanent expiration of the LEP.

NMFS provides to the permit owner current permit data on the renewal form including: permit number; vessel name and official number (USCG or state documentation number); endorsements

(gear, size, fishery), permit owner name, business address, business phone, fax and Email; permit holder (vessel owner) name, business address, business phone, fax number, email address if different from permit owner). NMFS may require as part of the annual renewal process either the DOB or TIN for a permit owner or owner of a vessel registered to an LEP, if such information has not been collected previously or there is a need to reconfirm the data on file. If there are changes to the address, phone, fax or email information of the permit or vessel owner, the permit owner may update those items on the renewal form. If the permit owner is a corporation, partnership, or other entity, the authorized representative signing the renewal form will be requested to print his/her name and title. By signing this form, the permit owner or authorized representative certifies that the data is correct and true and that they are authorized to complete this form on behalf of the permit owner(s). We estimate that approximately 85% of the permit renewals received in a given year do not involve any changes to the current permit information. Any change in the permit owner name, the vessel registered to the permit or vessel owner name cannot be made as part of the renewal process but must be requested separately using a permit transfer form.

This updated permit renewal form allows NMFS to maintain current contact information in its database for permit and vessel owners registered to the permit. NMFS uses this information to contact permit and vessel owners about issues related to their permits. Also, NOAA enforcement agents may access permit data to contact permit and vessel owners about investigative matters. Updated permit data allows fishery managers to effectively analyze which communities are currently associated with permit and vessel owners. Finally, submission of a signed/dated renewal form and fee payment affirms that the permit owner wishes to continue to maintain this privilege and participate in the limited entry fishery.

Also, the regulations provide at 50 CFR 660.160 that during the renewal period each year, the owner of vessel registered to a catcher processor endorsed permit must declare if the vessel will operate in the whiting fishery solely as a mothership operation. This provision was incorporated into the regulations at the request of at-sea processing vessel owners who wanted to avoid confusion as to whether a vessel is processing whiting only or will be fishing and processing whiting as catcher processor in the following year. The owner of a trawl endorsed permit need only check a box on the limited entry permit renewal form to make a mothership designation for the registered vessel. This designation appears only on the renewal forms of the 10 catcher processor endorsed permits.

Similarly, the groundfish regulations at 50 CFR 660.150(c)(7) require the permit owner of mothership catcher vessel endorsed permit to indicate whether they will participate in the cooperative or non-coop fishery in the following year and which mothership permit they intend to obligate their whiting catch to for the following year. This declaration is non-binding but was included at the request of industry in the Amendment 20 of the Groundfish FMP in order to assist industry in planning for the forthcoming at-sea whiting season.

As part of each renewal form, the permit owner must indicate whether they are small businesses as defined by NMFS. The responses to this question will be useful in preparing the Regulatory Flexibility Act analyses required for rulemakings made by NMFS. Such analyses require that the agency assess the impacts of regulations on small businesses. Data collected from businesses

participating in the groundfish fishery provides a better understanding of current size of these firms.

Permit Transfer: A permit owner must request a transfer of a LEP as required at 50 CFR 660.25 using a transfer form. The term “permit transfer” refers to one or both of the following actions: change in permit owner and/or change in the vessel currently registered to the permit. NMFS requires that the permit owner make a formal request using the Change of Vessel Registration or Permit Owner Application form. By regulation (50 CFR 660.25(f)), a change in vessel registration can only occur once after January 1 for any one permit (mothership catcher vessel and catcher processor endorsed permits may have up to 2 vessels registered after January 1). However, the regulations allow for changes in permit ownership as frequently as necessary during the calendar year. The number of transfers requested is estimated to be about 120 per year.

There are instances where the ownership of a vessel will change during the year. While we do not consider this to be a transfer (since vessel registrations are within the purview of states and USCG), NMFS may request vessel owners to provide a state or USCG vessel registration document to prove the change in ownership, TIN/DOB for each owner and current phone and fax numbers and email address. This information allows us to update our vessel owner records.

A transfer form is required to: formally document the request; accurately track changes in permit owners, vessel registered to the LEP (including changes in vessel name); verify compliance with permit regulations (i.e.; new permit owner eligibility); and maintain current business address, business phone number, fax number and email address information. LEPs convey a conditional privilege to harvest a public resource and LEPs are marketable assets and as such, it is important to maintain accurate registration data. The following information is required from the permit owner on a permit transfer request form:

1. For all transfer requests, the applicant must provide on the form the LEP number; name and vessel registration number of vessel currently registered to the LEP; current permit owner name(s) and TIN (for a business entity) or DOB (for an individual); current business address and telephone number, fax number(optional);, email address (optional); signature and date. The signee is required to print their name so as to clearly identify the individual’s name.

The new permit owner will be required to respond as to whether they are eligible to own a documented United States (U.S.) vessel. If the permit owner is a corporation, partnership, or other entity, we may request the printed name and title. Recently, WCR-Seattle has decided to rescind the requirement to have the form notarized. On advice from NMFS General Counsel, it has been determined that notarization of the document does not provide substantive advantages in a situation where there is a legal action involving a permit. The certification statement signed by the permit owner or designee is deemed sufficient to hold the permit owner accountable for the content of the form.

2. For a request to transfer the LEP to a new LEP owner: the name of the new permit owner, TIN (for a business entity) or DOB (for individual), business address, title (if corporate officer), telephone and fax numbers, and email address. If the permit owner is

a corporation, partnership, or other entity, the applicant may be required to provide the name and DOB of an authorized representative (person) for that entity.

3. For a request to register a vessel to a LEP, the permit owner must provide in the form the vessel name and documentation number for both current and new vessel, and the new vessel's length overall. If the permit is registered to a new vessel that has not recently participated in the fishery, a recent marine survey (prepared in the last 3 years) is required that certifies the length overall of the vessel and a copy of the USCG or state vessel registration document. NMFS uses this information to check compliance with the size endorsement requirement (vessel length cannot exceed endorsed length by more than 5 feet). The marine survey may be done by professional marine surveyor or the vessel owner or other person (boat builder, harbor master) may submit a letter attesting to the length overall of the vessel.

4. If the permit is sablefish endorsed and the transfer request falls on/after the start of the sablefish primary season, the permit owner must list the cumulative amount of tier amount harvested to date. Both the current permit owner and either the new permit owner and/or owner of the vessel registered to the LEP must sign and date the form acknowledging the cumulative amount of sablefish tier allocation has been landed to date on the LEP.

The regulations provide that NMFS may request additional documentation or other such credible documentation necessary to determine compliance with the transfer regulations. As appropriate, the permit owner may be requested to provide evidence of authority to authorize a transfer, such as: corporate resolution, contract for sale or lease, court order relative to a divorce decree, litigation, bankruptcy or settlement of an estate. Similarly, NMFS may request proof of U.S citizenship of the permit or vessel owner as permit owners must US citizens or US owned corporations. For a corporation, NMFS may require article of incorporation and disclosure of the state of incorporation as necessary. Also, a U.S. Coast Guard Report of Marine Accident, Injury or Death (CG-2692) maybe requested to confirm if a vessel was totally lost at sea to allow, for an exemption from the one change in vessel registration rule.

The information collected from transfer forms is used by the NMFS for the purposes of determining whether individuals and vessels are eligible to be registered to a limited entry permit; maintaining an accurate record of current permit registrations and permit histories; and administering the limited entry program. The question on the form asking if the permit owner and vessel owner are eligible to own an U.S. documented vessel, requires that the owner of the permit and vessel registered to the LEP certify eligibility to own or hold the LEP. Also, the NMFS may use the permit owner and vessel owner address information to mail public notices about changes in fishery regulations and in-season changes. LEPs provide permit data to enforcement agents to assist their tracking vessels in the vessel monitoring system and establishing whether fishing violations may occurred.

Also, current and historical permit data is used by states, the Council, USCG, states, NMFS staff, industry and academia for various purposes, but primarily to analyze management aspects of the fishery. State agencies use this permit data to confirm vessel participation in a fishery when entering data into a state fish ticket system.

NMFS collects the TIN (for business entity) and DOB (for an individual) for any permit owner or vessel owner as part of a transfer request and as part of ownership interest form required of business entities that own or hold a sablefish endorsed LEP. TIN and DOB information allow NMFS to uniquely identify entities and individuals that own or hold permits. This is important to accurately quantify how many permits are owned or held by a person or entity. This information assists NMFS law enforcement in identifying businesses that may be under investigation for fishing activities. The transfer form and ownership interest form include a statement that advises the permit owner and vessel owner that TINs and DOBs is considered confidential and will not be released to the public.

Any initial decision by NMFS regarding the issuance, renewal, transfer may be appealed by the permit owner. By regulation, such appeals must be submitted in writing within 30 calendar days to Regional Administrator and must allege facts or circumstances to show why the criteria have been met. Supplemental documentation may be required from the appellant. There have been no appeals of decisions to disapprove a transfer or renewal request in recent years). Appeals may be referred to NMFS National Appeals Office for review and recommendation.

Ownership Interest in a Sablefish Endorsed LEP: Amendment 14 to the Pacific Coast Groundfish FMP includes several ownership provisions that pertain only to sablefish endorsed limited entry permits. The regulations at 50 CFR 660.25(b)(3) provide that: 1) no partnership or corporation may own any sablefish endorsed permit unless owned by that entity as of November 1, 2000. Any sablefish endorsed permit sold after November 1, 2000 may only be transferred to an individual person or to a corporation or partnership that had ownership interest in a sablefish endorsed permit as of November 1, 2000; 2) no person, partnership, or corporation may have ownership interest in or otherwise hold more than three sablefish endorsed permits, as of November 1, 2000. If a person, partnership or corporation had an ownership interest in more than three permits as of November 1, 2000, it may continue to have ownership interest in those same permits, but may not acquire additional permits either through purchase or lease; and 3) a partnership or corporation will lose the exemptions given in 1) and 2) above on the effective date of any change in the corporation or partnership membership as of November 1, 2000. The term “change” refers to the addition of a partner or shareholder to the corporation or partnership.

For renewals and transfers of sablefish endorsed permits, if a permit owner or vessel owner is a corporation, partnership or other business entity, such entities must complete an ownership interest form. NMFS will not renew a permit or process a transfer request until a completed ownership interest form is received. If a business entity owns or holds more than one LEP, it is required to fill out only one form as part of renewal or transfer process. Currently, there are about 50 unique business entities that are listed on sablefish endorsed LEPs either as a permit owner or vessel owners. The number of entities having to submit an ownership interest form at time of transfer depends on the number of transfer requests initiated for sablefish endorsed permits, where the resulting LEP will list a business entity. On average, there about 80 sablefish endorsed LEP transfers each year of which about 30 ownership interest forms will be required.

As part of renewal, NMFS provides a prefilled ownership interest form to both permit and vessel owners who are business entities registered to sablefish endorsed permits. The prefilled form provides the business entity information (name and business address of record) and a list of

shareholders/partners as given in their prior submission. As needed, the respondent adds or deletes individuals who have ownership interest in an entity and/or update address information for listed individuals. If there are no changes to the ownership interest information, the permit/vessel owner is only required to sign/date the form.

As part of a transfer request, if the resulting permit will have a permit or vessel owner that is a business entity the entity is required to provide an ownership interest form with basic identifier information such as: permit number, vessel name and registration number, business entity name and address, individual shareholder or partner's name (first, last, full middle name), TIN for the corporation or partnership that owns the permit; the DOB for every individual who has an ownership interest in the business entity, and each individual's business address. In addition, an authorized representative representing the corporation/partnership must certify (by signing/dating the form) whether or not an additional individual with ownership interest had been added since the control date. The authorized representative signing the form will be requested to print their name on the form. The applicant may be required to provide a corporate resolution that authorizes the person signing the form to do so on behalf of the business entity. NMFS may require a copy of the USCG Abstract of Title as proof of ownership for vessel owners and/or owners 1and articles of incorporation or other documentation deemed necessary for proof of corporate or partnership ownership.

Recently, WCR-Seattle has decided to rescind the requirement to have the form notarized. On advice from NMFS General Counsel, it has been determined that notarization of the document has marginal benefit in cases where there may be a legal dispute involving the transfer of a permit. The certification statement signed by the permit owner or designee is deemed sufficient to hold the permit owner accountable for the content of the form.

For those permit owners that are a business entity, NMFS compares the list of individuals given on the ownership interest form to the prior list of shareholders on file to determine if an additional individual(s) with ownership interest had been added to the business entity both as part of renewal and any permit transfer. If there is an addition of a shareholder for the exempted business entity, that entity loses its exempted status and will be required to divest the permit to an individual owner or other eligible entity. If a shareholder is no longer listed as part of the entity, NMFS makes that change to its database. Again, the regulation was intended to limit permit ownership to existing permit owners who are family businesses.

In addition, ownership interest data allows NMFS staff to calculate a permit count for every business entity and for every individual (including shareholders) who owns a sablefish endorsed permit to ensure limits on permit owner/holder are not exceeded. The regulations provide that no entity or individual can own or hold more than 3 sablefish LEPS, unless the person/entity owned more than 3 permits as of the control date. The term "hold" refers to an owner of a vessel registered to a sablefish permit it does not own. This calculation includes any individual who owns a permit or an individual who has an ownership interest in a business entity. For any transfer, NMFS staff reviews the ownership interest forms of new entities holding a sablefish LEP or a grandfathered entity purchasing a sablefish LEP, and recalculate the total number of sablefish endorsed LEPs owned or held by the entity and the individuals who have an ownership interest in the entity. If any entity or individual owns or holds more than 3 permits (and is not grandfathered to own more than 3 permits), the transfer will be disapproved.

Owner On Board Exemption: The Council designed the permit stacking program maintain the owner/operator nature of the fleet. All new permit owners (since November 1, 2000) are required to be an individual permit owner and to be on board the vessel when fishing the tier amounts. The Council anticipated situations where a permit owner may not be able to be onboard the vessel due to death, injury or illness. At 50 CFR 660.231, a person who owns a sablefish permit and is prevented from being on board because of death, illness or injury may request a temporary exemption from the owner on board provision. The exemption can be requested only for three years consecutively or cumulatively and must be requested in writing each year.

In the case of death of the permit owner, the exemption is available until such time the permit ownership is reassigned to a beneficiary (typically through a probated will) or after the 3rd year of exemption, whichever occurs first. The executor or personal representative of the permit owner's estate must request the exemption in writing and must provide a death certificate for the permit owner. The executor/personal representative is required to provide documentation showing that he/she is legally authorized to act on behalf of the deceased permit owner. In some cases, the deceased permit owner may not have a will and NMFS will accept other documents (letters from surviving spouse or immediate family or family attorney, trust documents, marriage certificates, etc.) to provide proof of who is the rightful beneficiary. Once the beneficiary receiving the permit is identified, a change in permit ownership form is used to make the change, with the executor or personal representative signing the transfer form on behalf of the deceased's estate. For illness or injury, the permit owner must submit a written request for the exemption and must provide written documentation from a medical professional explaining the nature of the injury or illness and why the injury or illness prevents the permit owner from being on board a fishing vessel.

NMFS reviews the exemption request and the supporting documentation to make a determination to grant an exemption. As necessary, NMFS may seek further clarification from the applicant of aspects of the information justifying the exemption which may require additional documentation. The number of applications made for an exemption since 2006 have averaged about 2 requests per year. Any medical documents provided in support of an exemption request are confidential and not releasable to the public.

Mid-Season Transfer of a Sablefish Endorsed Permit: The Pacific Coast Groundfish regulations at 50 CFR 660.25 requires that any transfer (also known as "Change of Vessel Registration and Permit Owner Application") request made during the primary season for a sablefish endorsed LEP provide the cumulative amount of sablefish caught against the tier as of the date of the request. Again, one of 3 tier levels (1, 2, or 3) are given on a sablefish permit and each tier provides a specific allocation of sablefish pounds available for harvest in and above the normal trip limits. The tier amount landed to date must be certified as correct by signing Section F of the transfer form by the current permit owner must and this amount must be acknowledged by the new permit or vessel owner registered to the LEP. The transfer form is described in the previous section on transfers of LEPs. The number of transfers requested by sablefish endorsed permit owners varies year to year; however, the average is about 60 transfer requests per year.

Sablefish landings are recorded on landing tickets provided by each of the West Coast states and the data is entered into a regional database known as Pacific Coast Fisheries Information

Network (PacFIN). There can be a lag time of up to two months from the time a landing ticket is completed dockside to the time the data is available in PacFIN. PacFIN catch records for individual vessels are confidential and they are not accessible by the general public. As such, buyers or lessees of sablefish permits do not have an independent source of information detailing the exact amount of catch that has occurred on a specific permit during the primary season. The current regulations require that any person landing groundfish (permit owner and/or permit holder) keep a copy of all landing tickets accruing to the vessel during fishing operations to substantiate the catch to date for a particular permit.

NMFS requires this landing information primarily for enforcement purposes. The potential exists for a permit owner to misrepresent how much of the tier amount remains on a particular when selling or leasing a sablefish endorsed permit. The mid-season transfer certification is intended to inhibit a transferor from misrepresenting the amount of catch remaining on a permit. This certification will assist enforcement agents in effectively monitoring catch amounts on a given permit at the point of transfer and establish a common understanding of the cumulative landed amount on the permit at the time of transfer, so that the transferee does not fish in excess of the remaining tier amount. Enforcement agents may conduct a post season audit of landing records to determine if a particular permit was overfished during the season. If it is found that a particular permit was overfished, the declarations by both parties are important in determining who may be culpable for having committed a violation. The certified landed amount listed in the transfer form is not made available to the public and is considered business confidential.

For all of the information collections (EFPs, LEPs, Sablefish) described in this statement, it is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with National Oceanic and Atmospheric Administration (NOAA) standards for confidentiality, privacy, and electronic information. See the response to Question 10 in this section for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

Exempted Fishing Permits (EFPs)

There is no standard application form for EFPs. The initial application is made to the Council which provides guidelines on the types of information that must be submitted as part of the application (Pacific Fishery Management Council Operating Procedure – COP 19). Those vessel owners who will participate in an EFP project need to provide basic identifier information (vessel owner name and business address, phone number, vessel name and number) as per EFP

regulations. Sponsors of an EFP project (states, non-profits) must provide expanded set of information that will allow the PFMC and NMFS to judge their application. Applicants may be required to provide revised applications to NMFS incorporating changes directed by the Council and/or NMFS. No improved information technology has been identified as a practical means for reducing the burden on the public. However, NMFS continues to investigate the possibility of using standardized electronic systems for a permit application.

Limited Entry Permits (LEPs)

The permit application forms and instructions have been condensed as much as possible to alleviate public burden while still obtaining the information needed to administer the program. The renewal forms are printed with current permit information and only require the permit owner to revise address/contact information as needed, respond to a few brief questions and sign/date the form. From 2009-2012, NMFS WCR provided permit owners with an online LEP renewal site. About 10% (~50) of our permits were renewed using the online system each year. In 2013, we developed a new permit database system which is developed and maintained by the Northwest Fisheries Science Center. We have not developed an online renewal system as part of this new database. At this time, many permit owners do not routinely use a computer, which limits the level of efficiencies realized by online application processes. Due to the relative limited use of the previous online system and the need to use existing funding to develop other database enhancements, we do not anticipate offering an online renewal system in the near future.

We continue to consider an online portal to gather transfer and ownership interest information but for the immediate future, we will continue to require hard copy applications. A copy of the transfer application and sablefish ownership interest form can be obtained from the WCR web site and is in a Portable Document Format (PDF) format. The applicant is required to mail in a hard copy application, which must be signed and dated. Further, permit transfer requests require submission of other documentation depending on the nature of the requested action. Some permit and vessel owners are providing transfer documents as an attachment to emails which expedites the process of reissuing a permit.

. All current and historical LEP registrations including endorsements, names and business address of permit owners and vessel owners, vessel name and number and effective dates of the LEP are made available at the NMFS WCR web site.

4. Describe efforts to identify duplication.

The information collections described here are unique to the Pacific Coast and tied to specific regulatory requirements. There are no other programs that involve this unique set of permit owners/holders and collect similar information. The NMFS and PFMC initially developed the limited entry program and periodically review the program. The Council process requires staff to prepare analyses for the Council and the public for any new initiatives related to limited entry permit program and consider any issues related to reporting burdens. Any changes to the permit regulations involve a public comment period. Similarly, Council members conduct a review of EFP applications and duplication issues are considered as part of such reviews. In each instance, the process allows for public review and comment. Similarly, NMFS publishes a notice of its

intent to issue EFPs. These processes assist with identifying other collections that may be gathering the same or similar information. No duplication has been identified.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

The majority of the EFP applicants and LEP permit owners and vessel owners are independent fishermen who are owner/operators of their vessel or are members of family-owned businesses or members of small partnerships. As such, they are considered to be a small business. The burden will be the same for all businesses, regardless of size, and NMFS will collect information that is essential in determining eligibility for an LEP or EFP, the renewal or transfer of a permit, ownership interest, or satisfy other regulatory requirements. As noted previously, we provide renewal and ownership interest forms with information previously provided by the permit/vessel owner to reduce the amount of time needed to complete it and we provide a checklist to those seeking to make permit transfer listing supplemental documents required depending on the action.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Exempted Fishing Permits (EFPs)

A written EFP application is required so that the Council, NMFS and other interested parties can evaluate the proposed activity. For those applications that are approved, the EFP document becomes the basis of the EFP which is essentially a signed agreement to conduct specified activities. The Council has recently changed the interval for submission of applications to once every 2 years because most projects are 2 years in duration and the allocations of groundfish are on a set biennial basis. Because an EFP authorizes activities that otherwise would be prohibited, review of the application assure that the experiment is designed appropriately to achieve its purposes and to allow law enforcement agents and management staff to monitor EFP fishing activities. Also, an application helps state and Federal officials to consider emerging changes in the fishery, account for EFP landings and their impacts on the overall fishery and to closely monitor scheduled activities. A longer permit period could allow prohibited activities to take place beyond the time needed to evaluate the activity. If various EFP reports are not provided various intervals (bi-weekly, monthly, etc) NMFS staff will not be able to effectively track impacts of EFP fishing on the fishery, evaluate interim progress and judge the overall success or failure of concluded EFP projects.

Limited Entry Permits (LEPs)

The annual renewal information collection is necessary to confirm current permit information is correct or to revise it as necessary. If renewals were conducted less frequently, the permit data may not be accurate, as many permit owners do not update their contact information at the time of change. If NMFS has outdated contact information, it would hinder NMFS' ability to efficiently contact permit and vessel owners.

If the collection of permit transfer information is not conducted, NMFS will be unable to limit fishing effort in the groundfish fishery, which is critical to the conservation and management of the groundfish resource. Current permit owner/vessel owner and vessel registration information is important in enforcing management regulations and providing various analysts with high quality permit data. Moreover, the transfer information is essential for NMFS to determine whether the request complies with transfer regulations and to accurately revise permit registrations and track permit registrations. The transfer process must be completed first to allow for the completion of a private sale or lease transaction (funds are held in escrow until NMFS approves the transfer). Because these permits have value and are considered assets, it is important that changes are carried out formally and are accurate and allow permit owners to carry out business transactions involving these privileges.

If NMFS does not collect data on individuals who have ownership interests in entities that either own or hold a sablefish LEP, it will not be able to enforce compliance of the limits on the number of sablefish endorsed permits owned or held by an individual or to detect changes in grandfathered entities who are allowed to own a sablefish permit. Individuals that have ownership interests in corporations and partnerships are subject to limits on the total number of permits one can own or hold to prevent a small number of individuals from controlling a disproportionate share of the fishery. If such collections were done less frequently, the NMFS could not as effectively monitor changes in corporate/partnership membership or accurately monitor the number of permits owned or held by an individual. Given that changes in business ownership occur with some regularity, it is necessary to collect this information no less than annually. If NMFS does not require the existing permit owner and new permit owner or holder to certify the amount of tier sablefish landed to date, there is potential that the transferee to overfish the tier limit amount on the permit. This would create difficulties for enforcement agents in determining who is accountable for a possible fishing violation. If multiple vessels were able to overfish their tier limits, the cumulative overages could jeopardize the health of the sablefish stock and result in closing the fishing season prematurely.

If NMFS does not collect medical information in support of an exemption request from the owner on board requirement, it would not have the needed information to determine whether to approve or disapprove the request. The intent of the Council was to allow for the exemption in cases where there is sufficient proof that the permit is unable to be on board the vessel. If the permit owner was allowed to make the request less frequently, there is potential that permit owners who have recovered from their illness or injury to receive the exemption for a longer period than is needed.

If a response to the small business question was not required, the agency would not have needed information about industry to carry out Regulatory Flexibility Act analyses associated with various rule makings. If the response was requested less frequently, the agency would be unable to effectively track changes in the size of such entities.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

Exempted Fishing Permits

Summary data reports may be required more often than quarterly. The frequency is necessary in summary and data reports to keep track of the catch to date compared to the project allocation of fish.

Limited Entry Permits (LEPs) and Sablefish Permit Stacking

None.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice published (March 9, 2016 (81FR12473) solicited public comment; none was received.

Exempted Fishing Permits (EFPs)

NMFS staff provides to potential applicants for an EFP the basic information (per the regulation) needed to make a determination on whether to approve an EFP application and to issue an EFP. NMFS has regular contact with EFP applicants to discuss their applications and to review the nature of the data to be provided, the frequency and format. Because the nature of the EFP activities vary greatly and involve different states, there is need to consult with applicants and others to determine what data is required, at what intervals and in what formats and to consider what constraints may prevent providing this data. Applicants frequently suggest various approaches to the data collection; however, NMFS staff will make the final determinations regarding the required data in order to develop appropriate terms and conditions.

Limited Entry Permits (LEPs)

The groundfish limited entry program, including the sablefish stacking provisions and its associated information needs were developed by the Council in close coordination with the fishing industry, NMFS, and the States of Washington, Oregon, and California. Public comment was received at Council meetings on various aspects of the limited entry program (including sablefish provisions). On an ongoing basis, staff communicates with permit owners and vessel owners and provides instruction on how to properly complete a transfer form and ownership interest form. We have also incorporated many suggested changes.

Specifically, many permit owners have noted to us that the requirement to notarize the forms seems excessive and not necessary. The requirement of notarization of both the transfer form and sablefish ownership interest form involves a cost to the permit/vessel owner and time to take the documents to the notary. Our General Counsel conferred with other regional General Counsel about the issue of notarization and they agreed that the certification statement is sufficient to hold the applicant accountable for the content of the application. They concluded that notarization of document has marginal utility to the Agency. In the near future, the WCR will publish a regulation to delete the requirement to have these documents notarized.

Additionally, with the implementation of the trawl catch share program there are now a number of sablefish endorsed permit owners that have obtained trawl permits and they now participate in both fisheries. However, current regulations prohibit a vessel from being registered simultaneously to both a trawl endorsed permit and sablefish permits. As a result, permit owners must alternate the registration of the vessel to either the trawl permit or the sablefish permit. This limits their flexibility to move easily between fisheries and requires having to submit several transfer forms each year. NMFS is expected to publish a proposed rule in the summer of 2016 that will allow both trawl and fixed gear permits to be simultaneously registered a vessel. For a number of permit owners who own both types of permits, it will eliminate the need to submit transfer forms each time they switch fisheries.

Also, in the previous collection we included a question in the renewal form to all permit owners asking if they were a small business as defined by the Small Business Administration. We received feedback from permit owners that the wording of the question was confusing. Since that initial effort, NMFS has come up with its own definition of what constitutes a small business and reworded that section to provide clarity of the threshold distinguishing large and small business and presented a question which is clear to the reader. Further, industry commented to staff that the threshold amounts (revenues/number of employees) seemed to combine both harvesting and processing activities and did not recognize that some businesses are only harvesters and others are processors or some may be carryout both operations. As such NMFS has broken out the threshold levels of revenue for harvesting versus processing and we have revised the question to provide greater clarity.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

NA.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or NMFS policy.

As stated on the applicable forms, some of the information collection described above is confidential under section 402(b) of the Magnuson-Stevens Act. It is also confidential under [NOAA Administrative Order 216-100](#), Protection of Confidential Fisheries Statistics. Phone number, fax and email information, TIN and DOB are not released to the public. Similarly, the shareholder names associated with a business entity that owns a sablefish permit or has a vessel registered to a sablefish endorsed permit are confidential, as are any medical records provided to obtain an exemption from the owner on board requirement. The amount of tier landing reported

as part of a transfer of sablefish endorsed permit is also considered confidential and not releasable to the public.

The information collected is part of a Privacy Act System of Records (SORN), COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries. An amended notice was published on August 7, 2015 (80 FR 47457) and became effective on September 15, 2015 (80 FR 55327).

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

NA.

12. Provide an estimate in hours of the burden of the collection of information.

Table A – Total WCR-SEATTLE Federal Fisheries Permit Renewal Annual Burden Hours

	No. of Respondents	Total No. of Responses Per Year	Average Time per Response	Total Time (hours)
LEP Renewal	275	397	20 minutes	132 hours
LEP Transfer	130	130	25 minutes	54 hours
Ownership Interest for Sablefish Endorsed LEP – as part of renewal	50	50	5 minutes	4 hours
Ownership Interest for Sablefish Endorsed LEPs – as part of transfer	30	30	5 minutes	3 hours
EFP Application, Data, Notification and Report Submissions	52	419	74 hours	1806 hours
TOTAL	537 *	1026		1999 hours

Note: *This number represents the number of unique respondents for each specific form or individual information collection.

The total number of hours represents an increase over the prior collection. The EFP application, data, notification and report submission account for most of the increase time burden for the overall collection.

Detailed break-out of burden and related explanations follow:

Table A (1) - Annual Burden Hours - EFPs

Exempted Fishing Permit (EFP)	No. of Respondents	Total Annual Responses	Average Time per Response	Total Time (hours)
EFP Proposal	15	15	32 hours	480 hours
Harvest Plan	15	15	16 hours	240 hours
Data Reports*	15	375	2 hours	750 hours
Summary Reports	7	14	24 hours	336 hours
Total EFP	52	419	74 hours	1806 hours

* Reports may be required bi-weekly, monthly or semi-annually

The estimated number of respondents and annual responses relate to 4 specific activities: 1) 15 individuals or organizations are each expected to complete and submit one exempted fishing permit project proposal annually for review by the PFMC and NMFS. The application process is estimated to take 32 hours per application for a total of 480 burden hours per year. 2) 15 EFP holders are required to prepare one harvest plan or catch monitor plan each year which provides more detail on specific requirements to carry out EFP activities and to comply with the terms and conditions. One preseason plan will be required from each of the 15 EFP permit holders and it is estimated that such plans will take 16 hours each to prepare for a total of 240 hours. 3) Data reports will be required to be submitted at various intervals after a landing/delivery. It is estimated that there will be approximately 375 responses at requiring 2 hours per response for a total of 750 burden hours per year. 4) Summary reports are expected to be submitted twice each year by each of the 7 sponsors of EFP projects. They will prepare interim and final reports describing EFP project activities and results.

The annual costs associated with the burden hours for the respondents are as follows:

Proposal Preparation: 480 hours x \$61.64 per hour = \$29,587
 Harvest Plan Preparation: 240 hours x \$61.64 per hour = \$14,794
 Data Report Preparation: 750 hours x \$61.64 per hour = \$46,230
 Summary Report Preparation: 336 hours x \$61.64 per hour = \$20,711
Total: \$111,322

The \$61.64 per hour figure is an estimate from the West Coast Limited Entry Trawl Groundfish Cost Earnings Survey 2014 (personal communication, Erin Steiner, Northwest Fisheries Science Center)), as a proxy for respondent annual income.

Table A (2) - Annual Burden Hours for LEPs –Renewals/Transfers

Groundfish Limited Entry Permit	No. of Respondents	Total No. of Responses Per Year	Average Time per Response	Total Time (hours)
LEP Renewal	275	397	20 minutes	132 hours
LEP Transfer	130	130	25 minutes	54 hours
Ownership Interest Forms for Sablefish Endorsed LEP – as part of renewal	50	50	5 minutes	4 hours
Ownership Interest for Sablefish Endorsed LEPs – as part of transfer	30	30	5 minutes	3 hours
TOTAL*	485	607	19 minutes	193 hours

Note: These are unique respondents for each individual form completed.

The annual costs associated with the burden hours for the respondents are as follows:

LEP Renewal Form: 133 hours x \$61.64 per hour = \$8,198

LEP Transfer Form Preparation: 54 hours x \$61.64 per hour = \$3,329

Ownership Interest Form Preparation: 7 hours x \$61.64 per/hour = \$431

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

Table B – Total Estimated Costs of Annual Cost Burden to Respondents

Info Collection	Estimated Cost Amount
LEP	\$53,843
EFP	\$2,625
Total	\$56,468

Table B (1) - Estimated Annual Cost Burden for LEP Respondents

COST ITEM	Cost
Renewal:	
Processing Fee \$135 x 397 permits	\$53,595
Mail: \$0.47 x 397 permits	\$187
Transfer:	
Processing Fee	\$0
Mail: \$0.47 x 130 permit transfers	\$61
TOTAL COST TO RESPONDENTS (Permit Owners)	\$53,843

Note: *Ownership interest forms are required as part of renewal and with some transfer requests and typically mailed to NMFS with the completed renewal and transfer forms.

Cost Burden for EFP Respondents

Applicants are required to mail in original applications and holders are required to mail in signed copies of their permits. Most reports are typically sent as email attachments, but data reports may need to be mailed using a method that tracks delivery. The cost of mailing daily data reports is estimated at \$7 permit report for a total cost of \$2,625.

14. Provide estimates of annualized cost to the Federal government.

EFP: The cost to NMFS is incurred through the review, processing and issuance of EFPs. The estimated cost to the government is about \$24,445.

15 EFP applications x 1 hour per permit x \$25.00/hr. (GS-7/step 5 salary) = \$375
(clerk time to print/copy/scan/mail/file applications and EFP documents)

10 EFP Projects x 80 hours per x \$30 per hour (GS-9/step 5 equivalent salary) = \$24,000
(costs to review applications and reports/prepare EFP terms and conditions/follow-with EFP holders)

10 EFP mailings at \$ 7.00 per mailing = \$70

LEP: Most of the LEP administrative costs incurred by NMFS are from staff time, overhead, supplies, and mailing costs associated with permit renewal and transfer processing activities. Estimated annual costs for processing limited entry permit renewal forms and payments are approximately \$53,838 as determined from the most recent renewal processing fee amount given above in Table B. The cost of renewal activities is reimbursed by a permit processing fee paid by the permit owner. There is no processing fee currently required for the transfer of permits.

The annualized cost to the Federal government to process transfer requests is estimated to be: 130 transfers x 1 hour per application x \$30 per hour (GS-9/ step 5 equivalent salary) = \$ 3,900. The annualized costs to review and process ownership interest forms are estimated to be 80 ownership interest forms submitted x 10 minutes per application x \$25.00/hour = \$375. Mailings of 130 reissued permits \$7.00 (certified mail) = \$910.

Total government cost: \$24,445 + \$59,023 = \$83,468.

15. Explain the reasons for any program changes or adjustments.

Program Change

The estimated number of transfers has been reduced from 150 to 130 responses per year. A major reason for the reduction there is a proposed regulation that would allow a vessel to be registered simultaneously to both a trawl endorsed permit and fixed gear permits (up to 3 sablefish endorsed permits). Currently, there are about six permit owners who own both a trawl permit and up to 3 sablefish permits. Typically, at the start of the year these permit owners will their vessel will be registered to a trawl permit, and then in the spring, move the vessel off the trawl permit and register the vessel to sablefish permit(s). In the fall, they remove the sablefish permits and request that the vessel be re-registered to trawl permit to the end of the year. Once both types (trawl and fixed gear) of permits are allowed to be registered simultaneously to a single vessel, for those who own both types of permits, there will be no need to request such transfers in the future.

Also, the estimated number of responses for ownership interest forms due to transfer has been reduced by 10 (from 40 to 30). This reduction is anticipated because the joint registration regulation (which allows for simultaneous registration of a vessel to both trawl and sablefish endorsed permits) will eliminate the need to submit transfer requests for those who own both types of permits. Some of the reduced number transfers will involve sablefish permits, which would have required the submission of ownership interest forms.

The cost burden has been reduced slightly due to the elimination of the notary requirement for the transfer form and the ownership interest form. Previously, we estimated the cost of the notary to be \$10 per document and the overall estimate of the cost of notarization to be \$2,400. Also, the ownership interest form and transfer form previously included as part of the response required five minutes to have the form notarized. As such, in this collection, the time burden has been reduced from 10 minutes to 5 minutes for the ownership interest form and from 30 minutes to 25 minutes for transfer forms.

Total Program Changes: Decrease of 30 responses, 29 hours, \$2408.

Adjustment

The previous costs reported for EFPs was -0-. In this submission, there are costs for mailing (certified) data from electronic technology trips resulting in an estimated cost of \$2,635.

The estimated annual burden hours for EFPs has been increased. We estimate that several vessels will test electronic technologies (i.e.; video cameras) under an EFP. These are EFPs applications that are beyond the scope of those normally received for various research purposes. The purpose of these additional EFPs is to test the effectiveness and costs of such technologies to inform potential regulations that would allow use of such electronic systems in lieu of observers (which are currently required of all trawl IFQ vessels). Specifically, the number of EFP proposals is estimated to increase from 10 to 15 each year. Similarly, we anticipate the number of harvest plans and data report to increase from 5 to 15 each year and summary reports to increase from 5 to 7. Of significance is the increase in the estimated number of total annual responses for data reports which increase from 60 to 375. Data reports from vessels testing electronic technologies will require submission of video hard drives after several fishing trips and logbooks after every trip. The number trips can vary by vessel and by year.

Total Adjustments: Increase of 334 responses, 1046 hours and \$2,589.

16. For collections whose results will be published, outline the plans for tabulation and publication.

There are no plans to tabulate and publish the data. The names of all registered vessels, permit owners and holders are routinely made available on our web site. Mid-season landing information provided as of a sablefish transfer is considered confidential.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

Not applicable.

18. Explain each exception to the certification statement.

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.