

**SUPPORTING STATEMENT
SOUTHEAST REGION PERMIT FAMILY OF FORMS
OFFICE OF MANAGEMENT AND BUDGET (OMB) CONTROL NO. 0648-0205**

A. JUSTIFICATION

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

This request is for revision and extension of this collection,

The collection consists of applications for permits that are a mandatory part of the National Marine Fisheries Service (NMFS) program in the Southeast Regional Office (SERO), to manage commercial, recreational, and aquaculture fisheries in the Gulf of Mexico (Gulf), Atlantic, and U.S. Caribbean. In addition, this collection also contains fisheries’ reporting, notification, and registration forms and requirements. The fisheries in the Southeast Region are managed under the [Magnuson-Stevens Fishery Conservation and Management Act](#) (Magnuson-Stevens Act) (16 U.S.C. 1801), and regulations at [50 CFR parts 300, 622, and 635](#). NMFS issues permits to fishing vessels, vessel operators, and dealers, among others, in order to collect information necessary to comply with domestic and international fisheries obligations, secure compliance with regulations, and disseminate necessary information. This request is for a revision and extension of this current information collection under OMB Control No. 0648-0205.

Specifically, this request would revise the following permit application forms:

- Federal Permit Application for Vessels Fishing in the Exclusive Economic Zone (Vessel EEZ Application)
- Federal Permit Application for Vessels Fishing for Wreckfish Off the South Atlantic States (Wreckfish Application)
- Federal Permit Application for Dealers (Dealer Application)
- Federal Permit Application for the Harvest of Aquacultured Live Rock in the EEZ Form and Instructions (Aquacultured Live Rock Application (New))
- Federal Permit Application for the Harvest of Aquacultured Live Rock in the EEZ Form and Instructions (Aquacultured Live Rock Application (Renewal))
- Federal Permit Application for Southeast Issued Operator Card (Operator Card)
- Federal Permit/Certificate Application to fish in the Colombian Treaty Waters (Colombian Treaty Waters)

Administrative and organization changes to these permit application forms are described by Table 1.

Table 1. Revisions	Applications affected
NMFS proposes revisions to the instructions. The revised instructions provide: <ul style="list-style-type: none"> • More clearly organized information designed to put the information applicants most need to know right up front; • Additional and consolidated guidance about what supporting documentation is required; 	Vessel EEZ
	Wreckfish
	Colombian Treaty Waters

<ul style="list-style-type: none"> Guidance about what sections of the application must be filled out for various scenarios; and 	Operator Card
<p>NMFS removed the requirement for applicants to indicate whether they were a “sole owner” or “Co-Owner” of a vessel because NMFS can determine that information based on the number of owners provided. NMFS also removed the “Percent of Ownership” because collection of that data in this section would be for the ownership of the vessel, which is not a reasonable proxy for percent ownership of the business that owns the entity.</p>	Dealers Vessel EEZ Section 4a, 4b, 4c Aquaculture (New and Renewal) Section 4, 5 Wreckfish Section 2a, 2b, 3a, 3b, 41, 4b
<p>NMFS removed the requirement for applicants to indicate that they are a sole owner.</p>	Dealers
<p>Eliminated collection of “Partnership” or “Sole Proprietor” the section entirely because "Partnership" is a business type collected under the business sections, and "Sole Proprietorship" can be inferred when the vessel is owned by a single individual.</p>	Vessel EEZ Section 5a, 5b Aquaculture (New and Renewal) Section 4 Wreckfish Section 3
<p>Added "Partnership" as an allowable business type.</p>	Vessel EEZ Section a, 5b, 6b, 7a, and 7b Wreckfish Section 2b, 4a, 4b, 5b, 6a, 6b, Colombian Treaty Waters Section 4, 5b, and 6 Dealer Section 1 and 4
<p>Modified/created the Small Business Certification section to:</p> <ul style="list-style-type: none"> use a more user-friendly flow chart; collect the NCAIS code for non-small businesses as well as small businesses; and Collect the year for which the small-vs-large business determination was based. 	Vessel EEZ Section 12 Aquaculture (New and Renewal) Section 8 Wreckfish Section 8 Dealers Section 6 Colombian Treaty Waters

	Section 8
Added new section to collect information about “Businesses that own Businesses”. This data was supposed to be provided in the <i>old</i> Section “Officer/Shareholder information for businesses that own or lease the vessel”, but constituents got confused. If a business is owned by another business, the applicants often failed to fill the section out correctly. By separating the single section into two sections, one to collect information about <u>individual</u> officers/owners of businesses and a new section to collect information about <u>business</u> owners of businesses, the form should be less confusing.	Vessel EEZ Section 7
	Colombian Treaty Waters Section 6
	Wreckfish Section 6
	Aquaculture (New and Renewal) Section 6
Added new section to collect information about “Businesses that own the Dealer”. This data was supposed to be provided in the <i>old</i> Section “Businesses as Owners and Officer/Shareholder Information”, but constituents got confused. If a business is owned by another business, the applicants often failed to fill the section out correctly. By separating the single section into two sections, one to collect information about <u>individual</u> officers/owners of dealer and a new section to collect information about <u>business</u> owners of the dealer, the form should be less confusing.	Dealer Section 4
NMFS changed the order of Sections to collect the "lessee information" before collecting "owner/officer information" or “businesses that own businesses” information, because it provides for a more logical order for the applicant.	Vessel EEZ
	Wreckfish
Added a section to collect vessel lessee data.	Wreckfish Section 5
Added socioeconomic and demographic data collections to vessel owner, lessees, and business officer and owner information.	Colombian Treaty Water

The purpose of revising and expanding the SERO permit application forms is to better comply with National Standard 4 (NS4) of the Magnuson-Stevens Act, which states, in part: “If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be (A) fair and equitable to all such fishermen; (B) reasonably calculated to promote conservation; and (C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.”

In addition, the Regulatory Flexibility Act (RFA) and the Small Business Administration's (SBA) regulations implementing the RFA require federal agencies, including NMFS, to determine whether their rulemakings have a significant, adverse economic effect on “small” entities (e.g., businesses) directly regulated by those rulemakings. Agencies must also determine whether their rulemakings have any disproportionate economic effects on small entities relative to large entities. The determination of an entity’s size must account for affiliation between entities (i.e., when one business partly or wholly owns another business).

It is not possible to determine accurately whether businesses are affiliated, without ownership percentage data for all businesses that possess permits. Ownership percentage data is not currently collected for dealers, but there is anecdotal evidence that some dealers have ownership

interests in commercial harvesting permits and vessels. SERO thinks it is prudent to request that permit applicants confirm whether they are small or large entities as per SBA standards.

Based on the above, it has been determined that the proposed revisions to SERO's permit application forms with respect to ownership data, form or type of business, and confirmation of whether entities are small or large are needed to better comply with NS4 of the Magnuson-Stevens Act and the RFA.

[Executive Order \(E.O.\) 12898](#) requires federal agencies to analyze the environmental effects, including human health, economic and social effects, of federal regulatory actions whenever an analysis is required under the National Environmental Policy Act ([NEPA](#)). E.O. 12898 also requires the agency to mitigate any significant and adverse effects of its regulations, provide for effective minority participation in the NEPA process, and to collect, maintain and analyze data on minority populations. Finally, information on minorities is also needed to comply with the "fairness and equitable distribution" provisions of the Magnuson-Stevens Act, including NS4 and section 303(b)(6).

The SERO Permits Office also proposes to split the single application form for Aquacultured Live Rock into two application forms. The two forms would be the Federal Permit Application for Aquacultured Live Rock (New) (Aquacultured Live Rock New Permit) and Federal Permit Application for Aquacultured Live Rock (Renewal) (Aquacultured Live Rock Permit Renewal).

The Aquacultured Live Rock New Permit includes the collection of data previously collected via a separate form, Aquaculture Site Evaluation Report, among other revisions. The proposed revisions to establish the Aquacultured Live Rock New Permit application do not affect the time burden for applicants for new sites or new permit holders, but should clarify the application process for most applicants of new sites. The application form for the Aquacultured Live Rock Permit Renewal does not include the Aquaculture Site Evaluation Report; however, the Aquacultured Live Rock Permit Renewal form does include other clarifying revisions. NMFS is proposing to remove the stand-alone version of the Aquaculture Site Evaluation Report form from OMB Control No. 0648-0205.

The proposed revisions to the specified application forms are administrative and generally divide existing data fields into smaller parts to gather information that is more specific. NMFS intends the revisions to make the requested information clearer and easier to understand, and therefore, applications may require less time to complete in some cases. Additionally, NMFS removed some data fields that were collecting less meaningful data. NMFS estimates that the proposed revisions would not change the annual number of respondents or responses, or annual costs to affected permit applicants from estimates in the currently approved collection. Across the application forms, NMFS estimates these revisions would increase the overall time burden.

2. 1 Explain how, by whom, how frequently, and for what purpose the information will be used. 1 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.

As stated above, this information collection contains permit application forms, and fisheries' reporting, notification, and registration forms. All permits in this collection must be renewed

annually. Permits can be used to accomplish many functions. One of the main purposes for issuing permits is to identify the participants in a particular trade or industry. NMFS manages fisheries on a regional basis; likewise, permits are issued by regional offices and the permit databases are regionally distributed.

The information requested is used by various offices of NMFS, staff of the regional fishery management councils (Councils), the United States Coast Guard, United States Army Corps of Engineers, and state fishery agencies under contract to NMFS to develop, implement and monitor fishery management strategies. Analyses and summarizations of data are used by NMFS, the Councils, the Departments of State and Commerce, OMB, the fishing industry, Congressional staff, and the public to answer questions about the nature of the Nation's fishery resources.

Collection of information through annual permits provides current information on the vessel owners, operators, and dealers participating in these fisheries, thus facilitating information gathering for purposes such as catch quota monitoring, which is necessary to avoid exceeding catch quotas. For example, NMFS requires that vessel permits be displayed to dealers and that permit numbers be recorded on dealer reports in order to validate landings of some species.

A current permit holder list aids NMFS in the communication and enforcement of fishery regulations through distribution of management program brochures, fish identification guides, and regulatory compliance guides. In addition, a permit "universe" facilitates collecting catch and effort information about commercial and recreational fisheries, as required by law. NMFS constructs sampling frames for dockside and telephone surveys from permit holder lists and uses the list to select vessels for logbooks or at-sea observers (addressed under separate collections). Such surveys, logbooks, and observer reports provide essential information for management of fisheries in the United States, particularly in terms of quota allocation decisions that follow Magnuson-Stevens Act recommendations, such as allocating fishing opportunities consistent with traditional fishing patterns and considering the economic values to various user groups. Another purpose of the vessel permit requirement is that it serves as a useful tool in support of enforcement of fishery regulations. That is, the permit can be revoked as a penalty for a violation of fishery conservation measures.

NMFS requires fishermen (respondents) to display up to two adhesive decals on their vessel if they have a federal Charter Vessel/Headboat Permit for Gulf Reef Fish, or the Charter Vessel/Headboat Permit for Gulf Coastal Migratory Pelagic fish, and their respective Historical Captain endorsements if applicable, in these two Gulf fisheries. NMFS issues one decal with each of the two specific fishery permits or endorsements. The purpose of the decals is to allow individuals and law enforcement officials to identify vessels that have federal permits more easily.

This collection also requires respondents to provide information through fisheries' reporting, notification, and registration forms. The provided information allows NMFS to disseminate information to fishery participants, satisfy regulatory requirements, and effectively manage fisheries in the southeast region.

The following information collections are contained under OMB Control Number 0648-0205 and are proposed for revision:

Federal Permit Application for Vessels Fishing in the Exclusive Economic Zone. The Federal Vessel Permit Application Form is used to collect vessel information. Permits are issued annually or more frequently at the request of the applicant if changes are necessary. There is one vessel permit application form that is used for both new vessels that are applying for a vessel permit and for previously permitted vessels that want to renew their vessel permit. For a person on board a vessel used to harvest or possess federally-managed species in or from the EEZ, a vessel permit is required, as specified in 50 CFR part 622. For a person aboard a vessel used to harvest or possess smoothhound shark, a vessel permit is required, as specified at 50 CFR 635.4. The smoothhound shark permit application is included as part of this form.

Federal Permit Application for Vessels Fishing for Wreckfish Off the South Atlantic States. This fishery is managed under the wreckfish individual transferable quota (ITQ) system, as specified in 50 CFR 622.172. NMFS provides each wreckfish shareholder with ITQ coupons in various denominations, the total of which equals his or her ITQ, and a copy of the calculations used in determining his or her ITQ. Each coupon is coded to indicate the initial recipient but is transferable to another shareholder. The information collection for the coupons for tracking wreckfish ITQ in the South Atlantic is contained under OMB Control Numbers 0648-0013 and 0648-0016.

Federal Permit Application for Dealers. Identification of dealers or processors is needed to obtain first purchase information on landings to evaluate the biological, economic, and social implications of management measures. The Gulf and South Atlantic dealer permit was implemented in 2014 to obtain more timely purchase information from dealers to better monitor annual catch limits for the various Gulf and South Atlantic species managed by NMFS SERO and the regional fishery management councils. This permit allows dealers to purchase all species managed by the Gulf and South Atlantic Fishery Management Councils (except for IFQ species, for which an IFQ dealer endorsement would still be required). The Magnuson-Stevens Act, Regulatory Flexibility Act, and Executive Orders 12866 and 12131 require the determination of these facts. For a dealer to first receive fish harvested in or from the EEZ, a Gulf and South Atlantic dealer permit must be issued to the dealer, as specified in 50 CFR 622.20(c)(1) for Gulf reef fish, 622.90(a)(1) for Gulf red drum, 622.170(c)(1) for South Atlantic snapper-grouper, 622.200(c)(1) for South Atlantic rock shrimp, 622.240(b)(1) for South Atlantic golden crab, 622.270(d)(1) for Atlantic dolphin and wahoo, 622.370(c)(1) for Gulf and South Atlantic coastal migratory pelagics, and 622.400(a)(5)(i) for Gulf and South Atlantic spiny lobster. As with the Gulf and South Atlantic species, dealers purchasing swordfish and sharks caught in the Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, must have a dealer permit as specified in 50 CFR 635.4. These requirements for shark and swordfish dealers are needed not only to comply with the statutes and executive orders mentioned above but also to comply with international requirements.

Federal Permit Application for Aquacultured Live Rock (New and Renewal) Form and Instructions. The purpose of this data collection is to collect information on types and quantities of aquacultured live rock that are harvested, as specified in 50 CFR 622.70 and 622.220. Although these data are collected by some state fishery agencies (notably Florida), it continues to be important to collect this information from harvesters with a Federal permit that are not from a state that requires regular permitting.

Federal Permit Application for Southeast Issued Operator Card. Atlantic Dolphin/Wahoo permits and South Atlantic Rock Shrimp permits are not valid unless the operator or a crewmember holds a valid operator card when fishing for Atlantic dolphin and wahoo or South Atlantic rock shrimp, as applicable. NMFS proposes organizational changes only to the Operator Card application.

Federal Permit/Certificate Application to fish in the Colombian Treaty Waters. The Colombian Treaty Waters Permit Application form is a federal permitting requirement that is part of the negotiated treaty with Columbia that permits U.S. vessels to fish in Columbian waters (50 CFR 300.123).

Change of Information for Permit Holders. The owner or operator of a vessel with a permit, a person with a coral permit, a person with an operator permit, or a dealer with a permit must notify the SERO Regional Administrator within 30 days after any change in the application information specified, as required by 50 CFR 622.4(b). This information includes: name, address, telephone number, date the business was formed, and other identifying information of the business. The permit is void if any change in the information is not reported within 30 days. The SERO Permits Office posts a form for this purpose on their Web site; however, use of the form is optional as long as NMFS receives notification of any change in permittees' information within the specified period. NMFS revises the instructions of this form to clarify that use of this specific form to notify NMFS of any information changes is optional. The revision would also add the estimated annual number of responses¹ and time burden to the information collection.

Notice of Intent to Harvest Aquacultured Live Rock. At least 24 hours prior to harvest of aquacultured live rock, the owner or operator of the harvesting vessel must provide information to the NOAA Office of Law Enforcement (OLE), Southeast Division, as specified in 50 CFR 622.75(a)(4) and 622.225(a)(5). The owner or operator can either call, or fax a completed form to NOAA OLE. NMFS revises the instructions of this form to clarify that use of this specific form to notify NMFS of any information changes is optional. The revision would also add the estimated annual number of responses¹ and time burden to the information collection.

Application to Consolidate Gulf of Mexico Reef Fish Permits. A permit holder with multiple commercial vessel permits for Gulf reef fish has the option to consolidate some or all of those permits and the associated landings histories into a single permit. The permit holder must submit a completed permit consolidation application to NMFS, as specified in 50 CFR 622.20(a)(1)(ii). NMFS proposes to revise the estimated annual time burden and number of annual responses associated with this information collection.

Application for Duplicate Federal Fishery Permits, Operator Cards, or Decals. The SERO Permits Office posts this optional form on their Web site for permit holders and operators to obtain duplicates of previously issued documentation. Permit holders and operators may use the optional form or provide the equivalent details in writing to the SERO Permits Office. NMFS proposes to revise the estimated annual time burden and number of annual responses associated with this information collection.

Annual Landings Report for Gulf of Mexico Shrimp. The owner or operator of a vessel issued a

¹ NMFS uses the estimated annual number of responses to estimate volume, rather than respondents, because one respondent could provide multiple responses during a year.

federal commercial vessel permit for Gulf shrimp must annually report the permitted vessel's total annual landings of shrimp and value, by species, on a form provided by the Southeast Fisheries Science Center. Compliance with this reporting requirement is required for permit renewal, as specified in 50 CFR 622.51(a)(4). NMFS revises the estimated annual number of respondents and responses due to a reduction in the fleet size of the shrimp fishery. NMFS also revises the estimated annual time burden per response and total annual time burden.

Income Qualification Affidavit for Spiny Lobster. NMFS proposes to remove this individual form from OMB Control Number 0648-0205. The information this form collects is also collected on the Vessel EEZ Application and is duplicative. Because the information is already collected on another approved form, there is no change to the estimated annual time burden or number of respondents.

The following information collections are also contained under OMB Control Number 0648-0205 but are not proposed for revision:

Notification of Lost or Stolen Traps and/or Notification of Authorization for Trap Retrieval. Vessel and permit holders are required to notify NMFS when a trap is lost, stolen, or being retrieved for inventory purposes, as specified in 50 CFR 622.249(c) for South Atlantic golden crab, and 622.403(b)(3) and 622.405(b) for Gulf and South Atlantic spiny lobster.

Zone Transit Notification. For a person aboard a fishing vessel to fish for golden crab in one of three designated zones in the South Atlantic EEZ - the northern zone, the middle zone, or the southern zone - a golden crab permit for a specific zone is required. In order to transit a non-permitted zone with golden crab on board, the vessel operator must notify NOAA OLE, as specified in 50 CFR 622.241(b)(2).

Transfer Notarization. Transfer notification application must be accompanied by the original permit and a copy of a signed bill of sale or equivalent acquisition papers, as specified in 50 CFR 622.4. In those cases where a permit, license, or endorsement is transferable, the seller must sign the back of the permit, license, or endorsement and have the signed transfer document notarized.

International Maritime Organization (IMO) Registration. Commercial vessels fishing for highly migratory species (HMS) are required to obtain an IMO number if they are 20 meters in length or longer (approx. 65 feet) in length. A vessel owner is only required to register the vessel one time, and then the IMO number is permanently assigned to that vessel and does not change or expire, regardless of any subsequent change in vessel ownership. SERO collects the IMO number through the Vessel EEZ Application for the NMFS HMS Division and is required to renew or obtain a HMS limited access permit, including the Atlantic tuna longline, shark incidental, shark directed, swordfish incidental, swordfish directed, and swordfish handgear permits. Permit applications that do not contain the required supporting documents are considered incomplete. Collection of this information through annual vessel permits provides current information on the vessel owners participating in these fisheries, thus facilitating quota monitoring necessary to avoid exceeding catch quotas for HMS and helps support enforcement efforts of fishery regulations.

Smoothhound Shark Permit. This annual permit requirement aids in identifying the participants

in the commercial smoothhound shark fishery to facilitate information gathering for fishery management and quota monitoring, facilitate enforcement of fishing regulations, and help maintain a sustainable fishery. For a person aboard a vessel used to harvest or possess any highly migratory species (i.e., sharks, tunas, swordfish), a vessel permit(s) is required as specified at 50 CFR 635.4. The smoothhound shark permit application is included as part of the Vessel EEZ Application form. In the discussion below, estimates of the annual numbers of respondents, responses, and time and cost burden are given separately from the Vessel EEZ Application.

Aquacultured Live Rock Deposit or Harvest Report. A person with a federal aquacultured live rock permit must submit this report for each deposit or harvest activity, as specified by 50 CFR 622.71 and 622.221.

NMFS anticipates that the information collected by these forms could be disseminated to the public or used to support publicly disseminated information. As explained in the following sections, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See the response to Question 10 of this supporting statement 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.

The SERO and other NMFS Web sites include the forms under this collection. NMFS can also mail forms and instructions to respondents. Respondents can download and complete forms electronically, or complete paper forms, and then they can either mail or bring the forms to NMFS. Online permit application renewals are currently available only for some of the permits included on the Vessel EEZ Application form. All other permitting requirements are currently still paper forms.

4. Describe efforts to identify duplication.

The Caribbean, Gulf of Mexico, and South Atlantic Fishery Management Councils and their advisory groups meet multiple times per year to discuss issues pertinent to management of fisheries in the southeast region, including permits and permitting requirements. These groups include representatives from fishing and processing industries, environmentalists, the academic community, and the Atlantic, Gulf, and U.S. Caribbean states and territories. Through these forums and the federal rule-making process, information including any potential duplication of permitting requirements is identified. No duplication regarding the forms proposed for revision has been identified.

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

Because nearly all applicants are currently thought to be small businesses or small entities, separate requirements based on size of business have not been developed. However, one of the purposes of the proposed revisions is to determine more accurately if permit holders are in fact small entities. Only the minimum data to meet the current and future needs of NMFS' fisheries management are requested from the applicants.

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

If this information collection were not conducted or conducted less frequently, the United States would have difficulty fulfilling reporting and compliance obligations under Magnuson-Stevens Act, possibly resulting in violations of Magnuson-Stevens Act requirements, including catch-reporting requirements.

Species harvested in fisheries with permits under this collection of information are managed under the Magnuson-Stevens Act and in several fishery management plans (FMPs). Section 303(b) of the Magnuson-Stevens Act provides statutory authority to require permits for fisheries governed by FMPs issued by the Secretary of Commerce.

In addition, regulations at 50 CFR parts 300 subpart M, 622, and 635 require the permits under this collection of information. The importance of the information collected prior to permit issuance and the use of the permit system is explained under Question 2.

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

There are no special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

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.

NMFS published a Federal Register notice on December 20, 2016, soliciting comments for a 60-day period on the renewal and revision of this information collection (81 FR 92789). NMFS did not receive any comments.

In February 2016, the SERO Permits Office sent the revised application form for a dealer permit to nine dealers for pre-testing purposes, more specifically to estimate the time burden of a recently revised form and assess applicant comprehension of the new questions and revisions to existing questions. A separate questionnaire requested the time to fill out the form and any

additional comments. Two dealers returned the questionnaires, and the information they provided was incorporated into NMFS' estimated annual time burden for that form.

The NMFS Permits Office has a "walkup window" through which constituents ask questions and submit applications on a regular basis. During 2017, informal queries by NMFS to such constituents regarding the amount of time required to complete the application has supported the time burden estimates requested with this document.

In addition, over the last several months, the NMFS Permits Office has used phone and in-person conversations with constituents to help identify areas to improve the permit administration process. NMFS also analyzed the frequency of various application deficiencies to identify the most prevalent omissions. The proposed revisions to the instructions attempt to reduce those frequent deficiencies by clearly listing application requirements near the front of the application. The proposed revisions to instructions also describe the circumstances for which each application section must be completed, so respondents can readily identify which applications sections pertain to them. This additional guidance adds to the length of the instructions, but is expected to provide clarity, reduce application deficiencies, and make the application experience easier for the respondents.

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

There are no payments or other remunerations to respondents.

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

As stated on the forms and unless otherwise noted, all data submitted under the proposed collection will be handled as confidential material in accordance with the Magnuson-Stevens Act, Section 402b, and [NOAA Administrative Order 216-100](#), Protection of Confidential Fishery Statistics.

This information collection is included in a comprehensive NMFS Permits and Registrations System of Records Notice (SORN), COMMERCE/NOAA #19, Permits and Registrations for U.S. Federally Regulated Fisheries, published 04/17/2008, and effective 06/11/2008. An updated SORN was published on August 7, 2015, and became effective on October 15, 2015.

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.

No questions of a sensitive nature are asked.

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

The CURRENT estimated annual burden hours for this collection of information total 7,023 hours, the number of responses total 16,639, and the number of respondents total 13,909. The changes are shown below, in text and table.

If OMB approves this revision request, respondents would utilize the revised forms when they apply for or renew their permits, or are otherwise required to use the forms. For purposes of this revision request, NMFS assumes that all current permit holders would renew their permits.

The following table includes all information collections under OMB Control Number 0648-0205, including updated numbers of respondents and responses, and also revisions to and improved accounting for time burden estimates to forms and information collection requirements.

For the Vessel EEZ Application, NMFS estimates 5,648 respondents to apply annually. On average, respondents submit just over one response annually, for a revised annual estimate of 6,481 responses, and apply for or renew multiple permits each time (16,114 total permits or approx. 2.5 per response). This would be a decrease from the currently approved annual number of responses, 10,064, which also included the following Wreckfish Application.

For the Wreckfish Application, NMFS estimates five respondents to submit six responses annually.

For the Dealer Application, NMFS estimates 461 respondents to submit 533 responses annually. This would be a decrease from the currently approved annual number of responses, 1,126.

For the Aquacultured Live Rock Application (New), NMFS estimates three respondents to submit three responses annually. This is a new form version, so there is no previously approved number of responses; however, the total number of annual responses currently approved is 56.

For the Aquacultured Live Rock Application (Renewal), NMFS estimates 15 respondents to submit 22 responses annually. This is a new form version, so there is no previously approved number of responses; however, the total number of annual responses currently approved is 56.

For the Operator Card application, NMFS estimates 552 respondents to submit 552 responses annually. This would be a decrease from the currently approved estimate of 614 responses annually.

For the Colombian Treaty Water Application form, NMFS estimates one respondent to submit one response annually. This would be a decrease from the currently approved estimate of five respondents annually.

For the Annual Landings Report for Gulf of Mexico Shrimp, NMFS revises the estimated annual number of respondents and responses to 1,325 and 1,432, respectively, due to a reduction in the fleet size of the shrimp fishery. This would be a decrease from the currently approved estimate of 2,500 responses annually.

For the Permit Transfer Notarization, NMFS revises the estimated annual number of respondents to 1,500, because respondents typically transfer more than one permit at a time. This would be a decrease from the currently approved estimate of 1,710 respondents annually.

Name of Federal Permit Application or Form	Estimated annual respondents (number)	Estimated annual responses (number)	Current time burden estimate (minutes)	Current total time burden (hours)	Revised time burden estimate (minutes)	Estimated total time burden (hours)
Application for Vessels Fishing in the EEZ	5,648	6,481	39	4,908	50	5,401
Application to Fish for Wreckfish off South Atlantic States	5	6	21	2	55	6
Application for an Annual Dealer permit	461	533	29	258	30	267
Application for New Aquacultured Live Rock Permit	3	3	41 ^(a)	1	70	4
Application to Renew Aquacultured Live Rock Permit	15	22	21 ^(b)	8	50	18
Notice of Intent to Harvest Aquacultured Live Rock	18	120	0	0	10	20
Aquaculture Deposit Harvest Report	18	120	15	9	15	30
Application for Operator Card	552	552	21	266	30	276
Application to fish in Colombian Treaty Waters	1	1	30	3	50	1
Change of Information for Federal Fishery Permit Holders	50	50	0	0	5	4

Application to Consolidate Gulf of Mexico Reef Fish Permits	1	1	0	0	5	1
Application for Duplicate Permits, Cards, or Decals	150	150	0	0	10	25
Notification of Lost Traps	9	9	10	2	10	2
Zone Transit Notification	5	5	10	1	10	1
Gulf Shrimp Landings Report	1,325	1,432	5	208	20	477
Permit Transfer Notarization	1,500	1,710	5	143	10	285
IMO Number Registration	50	50	30	25	30	25
Smoothhound Shark Permit	500	500	30	250	50	417
Totals	10,311	11,745	307	6,084	510	7,260*

7259 in ROCIS

(a) Includes the combined burden of the previously separate Federal Permit Application for Aquacultured Live Rock (New Permit) and Aquaculture Site Evaluation.

(b) Renewal of this permit previously used the single Federal Permit Application for Aquacultured Live Rock (Renewal) but did not require the Aquaculture Site Evaluation.

Therefore, for OMB Control No. 0648-0205, the new annual burden hour total would be 7,260 hours (7,023 hours currently approved + 237 hours requested).

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).

The current total annual recordkeeping and reporting costs for this collection of information is estimated to be \$483,828. The total annual cost to respondents from the proposed revisions in this collection of information would change as follows. For forms that may be mailed to NMFS, the costs include \$1 for postage per response.

- Vessel EEZ Application: $6,481 * (\$25, \$10 \text{ (avg 2.5 permits per form} = \$40 \text{ per form)}) = \$259,240 + (\$1 * 6,481) = \$265,721$
- Wreckfish Application: $\$50 * 6 = \$300 + (\$1 * 6) = \307 (per ROCIS)

- Dealer Application: $461 * \$50 + 72 * \$12.50 = \$23,950 + (\$1 * 533) = \$24,483$
- Aqua Live Rock New: $\$175 * 3 = \$525 + (\$1 * 3) = \528
- Aqua Live Rock Renewal: $\$31 * 22 = \$682 + (\$1 * 22) = \704
- Intent to Harvest Aqua Live Rock: \$0 fee + $(\$1 * 0)$ (form optional)
- Aqua Deposit Harvest Report: $120 * + \$1$ postage = \$120.
- Operator Card: $552 * \$50 = \$27,600 + (\$1 * 552) = \$28,152$
- Columbian Treaty Waters Permit: \$0 fee + $(\$1 * 1) = \1
- Change of Info: \$0 fee + $(\$1 * 50) = \50
- Consolidate RF permits: \$0 fee + $(\$1 * 1) = \1
- Duplicate permits: $\$18 * 150 = \$2,700 + (\$1 * 150) = \$2,850$
- Gulf Shrimp Landings Report: $\$1 * 1,432 = \$1,432$
- Permit transfer notarization: $\$5 * 1710 + (\$1 * 0) = \$8,550$ (mailed with permit application)
- Smoothhound Shark Permit Application: $\$25 * 500 = \$12,500 + (\$1 * 500) = \$13,000$

Therefore, for OMB Control No. 0648-0205, the estimated annual cost burden to respondents would be \$345,898 (\$345,899 in ROCIS).

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

There are currently no costs to the government beyond regular staff hours, estimated to be 35,085 (3 hours per response) at a cost to the government of \$15/hour, or \$526,275. Any materials or supplies are recouped via “Full Cost-Recovery” as directed by NOAA Finance Handbook, 9-1. The cost does not include the IMO Registration, because respondents use a Web site that does not result in any cost to NMFS.

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

Program changes are proposed to add approximately 228 hours to the annual time burden. NMFS proposes revisions to several information collections under OMB Control Number 0648-0205 to enhance the information collected on several federal permit application forms for economic analysis, for purposes of notifying respondents, and to clarify instructions and requirements, as described in Question 1. These proposed revisions will increase the annual time burden for respondents due to additional information collected from respondents, as well as the additional corresponding instructions as explained herein.

Adjustments are proposed to add a net of 9 hours to the annual time burden. NMFS has adjusted annual estimates of respondents, responses, burden hours, and costs to respondents, based on analysis and updates to these elements, as well as feedback from affected respondents. Twenty-seven of those hours are due to inclusion of three small collections that had been inadvertently not included at some point: Permit holder change of information, request for duplicate permits or cards, and application to consolidate reef fish permits.

NMFS estimates that under the collection of information in OMB Control No. 0648-0205:

- The number of annual respondents would decrease from 13,909 to 10,311, and
- The number of annual responses would decrease from 16,639 to 11,745.

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

publication.

The results from this collection are not planned for statistical publication. NMFS may distribute the results of the observations for general information.

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.