

JUSTIFICATION FOR CHANGE

HMS Permit Family of Forms

OMB Control No. 0648-0327

This information collection consists of a mandatory annual vessel permit program for commercial, recreational, and charter/headboat Atlantic highly migratory species (HMS) fisheries, and mandatory dealer permits for the purchase of HMS from vessels and international trade of several HMS. These permits provide the basis for catch monitoring and collection of catch and effort statistics in these fisheries as required under the Atlantic Tunas Convention Act and the Magnuson-Stevens Fishery Conservation and Management Act. Such information is essential for the United States to meet its reporting obligations to the International Commission for the Conservation of Atlantic Tunas.

The Charter/Headboat permit in this collection is required for all vessels that take passengers for hire, and currently includes a provision that allows (but does not require) permit holders to fish commercially. Because of the provision that allows commercial fishing, permit holders are subject to United States Coast Guard (USCG) commercial fishing vessel safety regulations that require expensive safety gear. Only about 7% of permit holders actually use the commercial fishing provision, but all permit holders are still subject to the costly USCG safety requirements.

Under this rule, 0648-BH-19, the National Marine Fisheries Service (NMFS) is modifying the commercial sale provision of the charter/headboat permit so that vessel operators that fish only recreationally are not subject to USCG commercial safety requirements. Specifically, the rule creates a “commercial sale” endorsement to the Charter/Headboat permit that can be added to the permit if a vessel operator wants to fish commercially in addition to taking passengers for hire. Only Charter/Headboat permit holders with the commercial sale endorsement would be subject to USCG commercial fishing vessel safety requirements; all other Charter/Headboat permit holders would be considered recreational and could not sell their Atlantic HMS.

NMFS modified the permit application (attached) and permitting website to add a checkbox for applicants to indicate that they want the commercial sale endorsement. There is no change in reporting burden, and no change for the cost of the permit.

There were no comments on the proposed rule which were related to the information collection requirements