

JUSTIFICATION FOR CHANGE
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Greater Atlantic Region Dealer Purchase Reports
OMB Control No. 0648-0229

RIN 0648-BF43

NOAA'S National Marine Fisheries Service (NMFS) is proposing a change to information collection request 0648-0229 as a result of a proposed rule, RIN 0648-BF43, to implement measures under the Interstate Fishery Management Plan for Jonah Crab as recommended by the Atlantic States Marine Fisheries Commission. There will be no burden added, and no additional public cost burden associated with this change.

A change request was authorized by OMB for this collection due to change requests for related information collection requests 0648-0202 – Northeast Region Permit Family of Forms – and 0648-0212 – Northeast Region Logbook Family of Forms also affected by this rule.

All Federally-permitted dealers of Atlantic mackerel, squid, butterfish, Atlantic sea scallop, Atlantic surfclam, ocean quahog, Northeast (NE) multispecies, monkfish, summer flounder, scup, black sea bass, Atlantic bluefish, spiny dogfish, Atlantic herring, skates, tilefish, hagfish, American lobster must have been issued and have in their possession a Federal dealer permit in order to purchase such species from fishing vessels. Federally-permitted dealers in the above fisheries are required to submit certain information regarding their fish purchases to NMFS. Trip-level (trip by trip) reports provide the comprehensive data that are necessary for successful long-term management of each fishery.

This revision would require dealers that purchase Jonah crabs, a previously unmanaged species, landed by a Federally-permitted commercial fishing vessel operating within waters regulated by NOAA's National Marine Fisheries Service Greater Atlantic Regional Fisheries Office to be issued a Federal dealer permit for any fishery management plan (FMPs) listed above.

Section 303(a)(5) of the MSA specifically identifies the kinds of data to be collected for FMPs. Comprehensive trip-level reports submitted by dealers include individual vessel information, purchases by species and market category, and pricing information. The use of approved electronic submission processes to collect the information is an essential ingredient in the management of fishery resources because they provide an efficient means to collect that information on which management decisions are made. While Jonah crabs are not managed under the MSA, we are proposing measures that are consistent with MSA-managed species.

In all fisheries requiring mandatory reporting, 'negative reporting' by dealers is required if no fish was purchased during the reporting period. Negative reports are necessary in order to accurately identify dealers who have not purchased fish as opposed to those who have failed to report their purchases.

While this action would add a new requirement for the Federally-permitted dealers to report purchases of Jonah crabs by species and disposition on dealer reports, it is unlikely that the number of respondents will change as a result. Jonah crabs have historically been caught as an incidental catch in the lobster fishery, but more recently have become a targeted species. Due to the overlap with lobster, a fishery for which there are Federal vessel and dealer reports, it is likely that the vast majority of those dealers purchasing Jonah crab already have a Federal dealer

permit and are required to report all purchases from Federal vessels. No changes are required to the Weekly Dealer Report as that code currently exists in the software; the dealer only needs to select it.

Further, the previously-approved burden estimate included the time necessary to read the instructions, determine the correct species code, and record catch amounts by species.