

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Greater Atlantic Region Permit Family of Forms**  
**OMB Control No. 0648-0202**

**A. JUSTIFICATION**

This request is for a revision of a currently approved information collection pursuant to RIN 0648-BI77. NMFS proposes to implement the New England Fishery Management Council's Habitat Clam Dredge Exemption Framework Adjustment to its Fishery Management Plans. The proposed action is intended to establish areas within the Great South Channel Habitat Management Area where vessels could fish for Atlantic surfclams or mussels with dredge gear, consistent with the Magnuson-Stevens Fishery Conservation and Management Act and the Omnibus Habitat Amendment 2. This action is necessary in order for the fishing industry to access part of the surfclam and mussel resource within the Habitat Management Area.

To facilitate enforcement of the small exemption areas, participating vessels would be required to obtain a letter of authorization (LOA) from the NMFS Regional Administrator. Similar LOAs are used to grant access to specific areas or programs in other fisheries and may be applied for using a common form available from NMFS' Greater Atlantic Regional Fisheries Office (GARFO). If a vessel violates any of the requirements of the exemption areas, the LOA may be canceled, prohibiting future access to the GSC HMA. To receive the LOA, a vessel must hold a Federal commercial surfclam permit, which comes with requirements including reporting each fishing trip, using a vessel monitoring system (VMS), and selling catch exclusively to a federally permitted dealer. The LOA would require the vessel have an NMFS-approved VMS unit that can automatically adjust the frequency of position information sent to NMFS. A list of qualifying VMS units is available from GARFO. While within the GSC HMA, vessels would be subject to an increased VMS position polling rate from once per hour to once every 5 minutes. This would provide finer scale resolution on the location of the vessel and allow NMFS to monitor compliance with the small exemption areas. The increased polling rate would begin automatically as the vessel approaches the GSC HMA and would continue until after the vessel leaves the area. Vessels fishing in the GSC HMA would be required to use new VMS trip declaration codes that would allow law enforcement to know they intend to fish in the GSC HMA for surfclams or blue mussels.

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

Under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Secretary of Commerce (Secretary) has responsibility for the conservation and management of marine fishery resources off the coast of the United States. The majority of this responsibility has been delegated to the Regional Fishery Management Councils and the NOAA Fisheries Service. The Council develops management plans for fishery resources in New England.

The Secretary was given certain regulatory authorities to ensure that these resources are utilized in the most beneficial manner. The requirement of a permit for users of these resources is one of the regulatory steps taken to carry out conservation and management objectives. Section 303 (b)(1) of the Magnuson-Stevens Act specifically addresses the need for permit issuance. In addition, almost every international, Federal, state, and local fishery management authority recognizes the value and

use of permits as part of their respective management systems. Thus, the Secretary has promulgated rules for the issuance of Federal fisheries permits.

The issuance of a permit is an essential part of managing fishery resources. The purpose and use of permits is to: (1) Register vessel owners, vessel operators, fishing vessels, fish dealers, and processors; (2) list the characteristics of fishing vessels and/or dealer/processor operations; (3) exercise influence over compliance (e.g., withhold permit issuance pending collection of unpaid penalties, or unsubmitted, but required data); (4) provide a mailing list for the dissemination of important information to the industry; (5) register participants to be considered for limited entry; and (6) provide a universe for data collection samples. Identification of the participants, their gear types, vessels, and expected activity levels is an effective and necessary tool in the enforcement of fishery regulations. This information is needed to measure the consequences of management controls as well. Limited access (moratorium) permits are necessary to control fishing effort by managing the number of participants in a fishery. Dealer and vessel permits are necessary to ensure that data collections cover entire fisheries. Vessel operator permits serve as primarily a compliance and information dissemination tool.

The permit system is an integral part of the management of fisheries in the Northeast Region of NMFS. Consolidated regulations for the fisheries included in this collection are found at 50 CFR part 648 and 50 CFR part 697. It would not be possible to carry out the mandates of the Magnuson-Stevens Act and other laws if approval to continue these previously approved collections were to be denied.

This information collection includes requirements for onboard vessel monitoring systems (VMS). Vessels with particular permits are required to use an electronic VMS to declare their intent to fish before starting a particular trip, change their intent to fish during a trip, report the area they will be fishing in, whether they are fishing or transiting, and to report real-time catch, including information on kept and discarded catch. While vessels are also required to report catch information weekly or monthly depending on their permit through vessel trip reports (VTRs)(VTR collection approved in OMB Control No. 0648-0212), it is often necessary to have daily catch reporting in order to have a real-time understanding of the operation of the fishery. Real time catch reporting is especially important for high volume fisheries, where large amounts of fish are landed in short periods of time, so that the fishery can be shut down when approaching the annual, regional, or seasonal quota. VMS are also used for enforcement purposes to monitor where vessels are fishing on a real-time basis and enforce area restrictions.

Vessels are also required to request, in writing, to participate in any of the various exemption programs offered in the Northeast region. Exemption programs may allow a vessel to fish in an area that is limited to vessels of a particular size, using a certain gear type, or fishing for a particular species. Vessels are also required to request gillnet and lobster tags through the Northeast region permit office when using gillnet gear or lobster traps.

Lastly, vessel owners that own multiple vessels, but would like to request communication from NMFS be consolidated into one mailing (and not separate mailings for each vessel), may request the single letter vessel owner option to improve efficiency of their business practice.

#### **Vessel Permits (Initial and Permit Renewal):**

There are two major categories of vessel permits: open access and limited access (also called moratorium). Since there are no eligibility requirements, open access permits are available to anyone who applies. Conversely, limited access permits are issued to only those applicants who meet the specific qualification requirements for a particular fishery. The permits included in this submission are for the following open and limited access fisheries: Atlantic herring, Atlantic mackerel, Atlantic sea scallop, black sea bass, Atlantic bluefish, *Illex* squid, longfin squid, butterfish, monkfish, Northeast (NE) multispecies, ocean quahog, Maine mahogany quahog, scup, spiny dogfish, summer flounder, surf clam, tilefish, deep-sea red crab, NE skates, incidental squid in a highly migratory species (HMS) trawl, and American lobster. Some fisheries are entirely limited access (e.g., American lobster), while others are entirely open access (e.g., bluefish and spiny dogfish). However, most of the fisheries included in the Northeast Permit Family of Forms have both limited access and open access categories. Therefore, if an applicant does not meet the eligibility requirements of a limited access fishery, they may apply for an open access permit. Permit applications include the following information, along with any other information deemed necessary by the Regional Administrator: vessel and vessel owner name; address; vessel length; horsepower; gross tonnage; construction material; fish hold capacity; fishing permits requested; etc. Vessels that are owned by Corporations, Limited Liability Companies, and Partnerships are required to include all persons having an ownership interest in the vessel. An ownership form is included in both vessel and dealer permit forms and is required with each application for a vessel or dealer permit. Annual renewal is considered important in establishing participants who have an active interest in maintaining their ability to participate in a limited access fishery, and conversely allowing permits to lapse and be cancelled for those who do not.

Entry into limited access fisheries typically requires proof of vessel eligibility, usually in the form of documented landings of the managed species or species group to be submitted with the permit application. Eligibility for limited access fisheries is established only once, during the initial year of the program. In subsequent fishing years, the permit is reissued in the same manner as open access permits. The permit applicant will be provided a pre-printed renewal form each year on which they select the open access permits they want, and the limited access permits for which their vessel has qualified.

### **Operator Permits (Initial and Renewal):**

The vessel operator permit enables NMFS to send notices of proposed and approved regulatory changes to vessel operators, as well as vessel owners, improving the flow of information to the industry. These permits are required for all operators of vessels issued vessel permits from the Northeast region and possessing or fishing in the following fisheries: Atlantic herring, Atlantic mackerel, Atlantic sea scallop, black sea bass, Atlantic bluefish, *Illex* squid, longfin squid, butterfish, monkfish, NE multispecies, ocean quahog, Maine mahogany quahog, scup, spiny dogfish, surf clam, tilefish, deep-sea red crab, NE skates, and American lobster.

The possible revocation of vessel, dealer, and operator permits helps to ensure compliance with reporting and other fishery specific regulatory requirements. Experience has shown that fines for violations of specific fishery regulations are not as effective as the threat of withdrawing or not renewing permits. Fines for fishing without a permit can be more substantial and easier to enforce than fines for other violations. Vessel owners may be willing to pay the lower fines if the violation brings enough economic benefit, but do not want to be excluded from the fishery.

### **Dealer/Processor Permits (Initial and Renewal):**

Identification of dealer/processors is needed to obtain first purchase information on landings to evaluate the biological, economic, and social implications of management measures. The Magnuson-Stevens Act, Regulatory Flexibility Act, and Executive Orders 12866 and 12131 require the determination of these facts. This collection of information includes the following dealer permits: Atlantic hagfish, Atlantic herring, Atlantic herring at-sea dealer, Atlantic mackerel, Atlantic sea scallop, black sea bass, bluefish, *Illex* squid, longfin squid, butterfish, monkfish, NE multispecies, ocean quahog, scup, spiny dogfish, summer flounder, surf clam, tilefish, deep-sea red crab, NE skates, and American lobster.

### **Vessel Replacements and Confirmations of Permit History:**

The vessel replacement and confirmation of permit history (RPH) application provides a one-step venue for applicants to request replacement of one vessel by another vessel and/or retention of a vessel's limited access permit history. This form saves time and effort by guiding applicants through the process, and by including these inter-related permit actions on one form.

The term vessel replacement, in general, refers to replacing an existing limited access vessel with another vessel. This application requires that the same entity must own both the limited access vessel (and fishing history) that is being replaced and the replacement vessel.

A vessel owner must maintain the limited access permit status for an eligible vessel by renewing the permits or applying for a confirmation of permit history (CPH) on an annual basis. A CPH is issued to a person who does not currently own a fishing vessel, but who has legally retained the fishing and permit history of the vessel for the purpose of transferring it to a replacement vessel at a future date. A CPH is only issued to vessels that have been sold, sunk, or destroyed. Annual renewal is considered important in establishing participants who have an active interest in maintaining their ability to participate in a limited access fishery, and conversely allowing permits to lapse and be cancelled for those who do not.

### **Vessel Monitoring Systems (VMS):**

A VMS provides an effective means of monitoring vessel activity, including assessing fishing effort, through determining vessel location. This information is necessary to enforce management measures such as days-at-sea (DAS), closed area provisions, and to prevent overfishing through electronic catch reporting, where applicable. VMS enables industry participants to provide information on the nature and purpose of their activities electronically and to send and receive electronic messages while on board their vessels. VMS units are also capable of transmitting catch and landings information. Section 303(b)(4) of the Magnuson-Stevens Act authorizes the Secretary to require the use of devices such as VMS that would facilitate enforcement of FMP provisions.

VMS is currently required for the following industry participants: (1) A scallop vessel issued a Full-time or Part-time limited access scallop permit, or an LAGC (limited access general category) scallop permit; (2) A scallop vessel issued an Occasional limited access permit when fishing under the Sea Scallop Area Access Program; (3) Limited access monkfish electing to fish in the Offshore

Fishery Program; (4) A vessel issued a limited access NE multispecies permit that fishes under a day at sea (DAS), or catches regulated species or ocean pout while on a sector trip; or a vessel issued a limited access NE multispecies small vessel category or Handgear A permit that fishes in multiple stock areas; (5) A vessel issued a surfclam or an ocean quahog open access permit; (6) A vessel issued a limited access Atlantic mackerel, longfin squid moratorium permit, *Illex* squid moratorium permit, or butterflyfish moratorium permit; (7) A vessel issued a Maine mahogany quahog limited access permit; (8) A vessel issued a limited access monkfish, Occasional scallop combination permit whose owner elect to provide VMS notifications; (9) A vessel issued a limited access herring permit, or a vessel acting as a herring carrier, or a vessel issued an Areas 2/3 open access permit, or a vessel declaring an Atlantic herring carrier trip via VMS. In addition, NMFS issues an annual permit for Canadian transshipment vessels that participate in the Atlantic herring fishery. These vessels must be equipped with a NMFS-approved VMS unit and transmit required notifications while in the U.S. EEZ.

Industry participants in these fisheries must provide proof of VMS installation with the vessel's permit application or renewal. In addition, all vessel owners required, or choosing to use, a VMS unit must call the NMFS Greater Atlantic Region OLE to confirm connectivity of the unit with the OLE system upon installation of a new or replacement VMS unit, and send a VMS certification form as an official statement that the federally permitted fishing vessel has an operational VMS unit installed. In addition, all vessels required to use VMS units must transmit a signal indicating the vessel's accurate position at least every hour, 24 hr a day, throughout the year; or at least twice per hour, 24 hr a day, throughout the year, for vessels issued a scallop permit. VMS units send position reports automatically.

VMS activity declaration and other reporting requirements specific to the permit type and the circumstance are required by regulations at §648.10.

#### **Good Samaritan DAS Credits:**

Limited access vessels fishing under DAS requirements that have assisted in USCG search and rescue operations or assisted in towing a disabled vessel may apply for Good Samaritan credits (§648.53(e)). This provision enables such vessels to not accrue DAS for the documented time of their assistance efforts.

#### **DAS Credit for Standing by an Entangled Whale:**

Every year, there are many reports of large whale entanglements. However, few entangled whales are actually disentangled because many of the reported entangled whales are never relocated. Given effort limitations, vessels are reluctant to take the time to provide rescuers information about entangled whales because they could lose valuable fishing time. As a result, the NE Multispecies FMP provides DAS credit for vessels that stand by an entangled whale. This credit provides an incentive for vessels to report and stand by entangled whales so that they can be successfully disentangled.

#### **DAS Credit for a Canceled Trip:**

NMFS permits vessels that have canceled a fishing trip due to unforeseen circumstances, but have not yet conducted any fishing activity, to be credited DAS upon written request of the vessels

owner/operator. This provision applies to all fisheries that operate under a DAS management system, specifically the Northeast (NE) multispecies, monkfish, and Atlantic sea scallop fisheries. A canceled trip DAS credit is only be approved in cases where fishing gear was set or hauled and the vessel was, therefore, not in possession of any fish. The vessel's VMS will provide data that will help determine whether or not the vessel hand engaged in setting or hauling fishing gear. To ensure the enforceability of this provision, vessels seeking a canceled trip DAS credit are required to notify NMFS Office of Law Enforcement to coordinate a monitored landing event. The initial notification method depends upon the reporting requirements of the vessel's permit type. After landing, both VMS and IVR vessels would be required to submit a DAS credit request form.

### **Vessel Monitoring System Power Down Exemption**

For vessels fishing with a permit that requires VMS, the vessel owner may sign out of the VMS program if the vessel will be at the dock/mooring for a minimum period of 30 consecutive days by obtaining a valid letter of exemption (§648.(c)(2)). This vessel power down exemption allows the VMS-equipped vessels to power off their VMS unit and stop transmitting their position during the exemption period. The vessel may not engage in any fisheries until the VMS unit is turned back on, and the vessel must comply with all conditions and requirements of said letter. The vessel is required to retain this exemption letter on board the vessel. The vessel owner may also request to extend the time period for which the exemption was granted.

### **Exemption Programs Authorized for Federal Permit Holders:**

Several NE Region FMPs allow exemptions from the regulations for fisheries conducted in a manner already consistent with the goals and objectives of the FMP. For example, the minimum mesh requirement of the summer flounder fishery is waived for a fishery that occurs in an area where the gear selectivity measure would have no significant conservation benefit (§648.104(b)(1)). Similarly, under the NE Multispecies FMP, many exemptions have been authorized for small mesh fisheries and fisheries not requiring effort controls as each one is demonstrated to have a negligible effect on species under protection (§648.80(a)).

The purpose of fishery exemptions is to allow federally permitted vessels to conduct fisheries that might otherwise be restricted. In this way, the social and economic impacts associated with conservation plans are lessened. The NE Multispecies FMP anticipates the need for such exemptions. As a result, an expedited process exists at §648.80(a)(8) for adding, deleting, or modifying exempted fisheries. According to this measure, if the Regional Administrator (RA), after consultation with the NEFMC, determines that the fishery in question would have less than 5 percent bycatch of regulated multispecies and the exemption will not jeopardize fishing mortality objectives, the exemption may be allowed and added to the list of exemptions under §648.80(a).

Because exemptions provide alternatives to the often restrictive fisheries managed under an FMP, special permitting or Letters of Authorization (LOA) are often required to ensure compliance and consistency with the purpose of the exemption. Special permits and LOAs provide a list of participants, their period of participation, and assist the agency in compliance monitoring. Special permits and LOAs also serve to resolve confusion and delay caused when a vessel in an authorized exemption program is boarded by enforcement officers to determine whether or not the vessel is fishing illegally.

The following exemptions contain collection of information requirements under OMB Control No. 0648-0202, i.e., requests for Letters of Authorization (LOA) from the Regional Administrator (RA):

- Summer flounder small-mesh exemption (§648.104(b)(1)): For vessels desiring an exemption from the minimum mesh-size requirements for the summer flounder fishery
- Winter flounder state waters exemption: for vessels issued a NE multispecies permit wishing to land winter flounder in state waters with a mesh size smaller than the specified minimum
- Midwater trawl exemption (§648.80(d)(2)): For vessels wishing to fish with mid-water trawls in the GOM/Georges Bank (GB) Exemption area
- Purse seine exemption (§648.80(e)(2)): For vessels wishing to fish with purse seines in the GOM/GB Exemption area
- Herring Carrier Exemption (§648.4(a)(10)(ii)): Allows federally permitted herring vessels to operate as herring carriers as long as no gear capable of fishing is on board. The carrier LOA has a minimum 7 day enrollment period. There is an option to declare into the herring fishery as a carrier using a VMS unit on a per trip basis instead of applying for this LOA. Using the VMS declaration option there would no longer be a 7 day minimum enrollment period.
- Herring Transfer at Sea Exemption (§648.13): Allows Federally permitted herring vessels to transfer or receive herring at sea to/from another herring vessel, a herring at-sea processor, and/or herring carrier vessel.
- Nantucket Shoals dogfish exemption (§648.80(a)(10)): For vessels wishing an exemption from minimum mesh size requirements in the Nantucket Shoals dogfish exemption area
- Southern New England (SNE) Little Tunny Gillnet Exemption (§648.80(b)(9)): For vessels wishing to fish with gillnet gear with a mesh size smaller than the minimum required mesh size in the SNE Little Tunny Gillnet Exemption Area
- Western GOM and Cashes Ledge closed areas party/charter exemption (§648.81 (f) (5)(v)(A)): For vessels fishing under Charter/Party regulations in GOM and Cashes Ledge closed areas
- Nantucket Lightship party/charter exemption (§648.81(c)(2)(ii)(A)): For owners of charter/party vessels intending to fish in the Nantucket Lightship Closure Area
- Northwest Atlantic Fisheries Organization (NAFO) regulatory area request (§648.17): Allows vessels possessing a valid High Seas Fishing Compliance permit fishing in the NAFO Regulatory Area to be exempt from NE multispecies and monkfish regulations while transiting the EEZ with NE multispecies on board and land NE multispecies in U.S. ports.
- Raised footrope trawl whiting fishery (§648.80(a)(15)): For vessels wishing to fish with nets with a mesh size smaller than the minimum specified mesh size in the Raised Footrope Trawl Whiting Fishery area
- Monkfish Southern Fishery Management Area (SFMA) landing limit exemption (§648.94(f)): For permitted monkfish vessels that do not have VMS unit that wish to fish

exclusively in the Northern Fishery Management Area (NFMA)

- Surf Clam/Quahog GB Closed Area Exemption: Allows vessels access to a portion of the GB Closed Area for harvesting surfclams and ocean quahogs provided all harvesting be conducted under the terms and conditions of a paralytic shellfish poisoning (PSP) testing protocol.
- White and Red Hake Transfer at Sea Exemption (§648.13(e)): A vessel issued a Federal NE multispecies permit may transfer from one vessel to another, for use as bait, up to 500 lb of whiting and unlimited amounts of red hake, per trip, as long as the transferring vessel possesses a Federal NE multispecies permit and the receiving vessel possesses a written receipt for any small-mesh multispecies purchased at sea.
- Cultivator Shoals Whiting Exemption (§648.80(a)(6)): A vessel issued a NE multispecies limited access (Category A-F) or open access (Category K) permit can land 30,000 lb of silver hake (whiting) and offshore hake combined per trip in this area.
- GOM/GB Transiting: A vessel subject to the minimum mesh size restrictions may transit through the GOM and GB RMAs with nets on board with a mesh size smaller than the minimum mesh size specified and with small mesh exempted species on board.
- Skate Bait Exemption (§648.322(c)): A holder of a Federal skate permit may be exempted from the skate wing possession limit restrictions in order to land whole skates for use as bait.
- Mackerel, Squid, Butterfish Transfer at Sea (§648.13): A vessel with a valid longfin squid, *Illex* squid, and/or butterfish permit may transfer and receive longfin squid, *Illex* squid, and/or butterfish at sea.
- GOM Cod Landing Limit Exemption: A NE multispecies day at sea (DAS) permit holder and fishing exclusively south of the GOM RMA, may receive an exemption from the more restrictive GOM cod landing limit. If the vessel declares through VMS, the GOM Cod Trip Limit Exemption form should be sent, via VMS, prior to leaving the dock for each trip.
- GOM Rolling Closed Area Charter/Party: The vessel may not use a NE multispecies DAS, fish on a sector trip, or fish under the provisions of a Handgear A, Handgear B, or Small Vessel (Category C) permit during the entire period for which the LOA is valid.
- GSC HMA Clam/ Mussel Dredge Exemption Areas: A vessel issued a valid Ocean Quahog or Surfclam permit may be exempted to fish in areas normally closed to common practice gear types. This is a new requirement.

### **Gillnet Tagging Program and Category Designation:**

Gillnet vessels are required to elect a gillnet category designation by selecting either the “Day gillnet” or “Trip gillnet” category on a form provided by NMFS (§648.4(c)(2)(ii)). On this same form, vessel owners who have selected the “Day gillnet” category may request the required net tags and send a check for the cost of the tags. If the maximum number of tags is not requested on the



initial form, vessel owners may request additional tags at any time during the fishing year through an additional form. If any tags are lost or destroyed, the RA must be notified as soon as possible via letter or fax. The vessel owner may also request replacement tags via the same letter or fax, including a check for the cost of the replacement tags (§648.82(k)). This tagging program helps enforce limits on the number of nets a vessel is allowed to fish at a given time.

### **American Lobster Trap Area Designation and Tagging Program:**

Each owner of a fishing vessel that fishes with traps capable of catching American lobster must declare to NMFS on the annual application for permit renewal which management areas the vessel will fish in for lobster with trap gear during that fishing season. Any lobster trap fished in Federal waters must be affixed with a valid lobster trap tag (unless exempted by the RA). Trap tags are issued by the RA or by state agencies by agreement with the RA. The trap tags must be purchased using a NMFS trap tag order form or state equivalent. The purpose of the trap tags is to enforce the number of traps a vessel is authorized to fish based on the area(s) designated. Vessel owners are required to report lost, destroyed, or missing tags to the RA within 7 days of the loss incident, and may request replacement of the lost, destroyed, or missing tags (§697.4). Vessels that possess both an American lobster permit for traps in Area 5 and Federal limited access black sea bass permit have the option to participate in the Area 5 waiver category. By opting for this category, they are allowed a limited possession limit for lobster while directing trap fishing on black sea bass. They can opt in and out of this category throughout the permit year by notifying the NE Region Permit Office and completing a permit application (§697.26).

### **State Quota Transfer Requests:**

The summer flounder and bluefish fisheries are currently managed by a commercial quota allocated on a state-by-state basis. The summer flounder and bluefish quotas are annual allocations. These two fisheries allow states to request that quota be transferred or combined between and among states for a particular fishery (§648.100(e), §648.160(f)). Requests are made in writing to the RA. Quota transfers allow flexibility among the states in managing their allocations, thereby addressing unforeseen variations and contingencies in the fisheries.

### **Vessel Owner Single Letter Option:**

Vessel owners that own multiple vessels but would like to request communication from NMFS be consolidated into one mailing (and not separate mailings for each vessel) may request the single letter vessel owner option to improve efficiency of their business practice.

### **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.**

The information requested on the consolidated permit application forms are used by several offices of NMFS, the USCG, the NEFMC, the Mid-Atlantic Fishery Management Council (MAFMC), state fishery management agencies, academic institutions, and other fishery research and management organizations to evaluate current management programs and future management proposals.

NOAA 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 response to Question 10 of this Supporting Statement for information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical, or general informational publications. Should NOAA NMFS decide to disseminate the information, it will be subject to the quality control measures and pre-dissemination review pursuant to Section 515 of Public Law 106-554.

### **Vessel Permit Application (Initial and Renewal):**

The 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 are two vessel permit application forms—an initial form for new vessels and a renewal form for previously permitted vessels.

In section 1 of the permit application, information such as name and address of the owner is used to identify the applicant and legal ownership of the vessel. This requirement is essential in the use of permits as a fisheries enforcement tool. For example, violations of catch regulations may result in the suspension of a vessel's permit. Since a corporation may own several vessels, identification of ownership on the application form allows NMFS to sanction the company as well as the individual vessel or vessel operator for repeated violations of regulations. This information is also used to provide a mailing list or email list for corresponding with Federally permitted vessels. The regulations specify that mailing address is required. The regulations authorize such requirements to be added as found necessary.

A USCG documentation number, or state registration number when appropriate, serves to further identify an individual vessel. This number is especially useful in tracking permit histories to past owners, assuring that qualified vessels obtain proper moratorium permits. That history becomes more and more important as additional fisheries undergo moratoriums limiting the access of participants.

Telephone numbers are required to assist NMFS in processing the application. Possessing a telephone number for an applicant enables questions to be resolved more efficiently and inexpensively than via correspondence, thus facilitating timely issuance of the permits. Home and principal port information provides managers with information on the distribution of fishing effort and fishing communities--vital components in evaluation of socio-economic impacts of fishing regulations.

The vessel information requested in section 2 of the initial application is required for evaluation of fishing power and capacity and is used by fishery economists and researchers to estimate the impacts of the fishing fleet on a resource and perform other studies as appropriate. Information from this database is used frequently throughout the year as studies are needed.

The fishery information requested in section 3 is used by NMFS, the Councils, and other fishery research and management organizations to evaluate the placement, qualifications, and fishing methods of participants in the various fisheries. This information defines the type of permit issued to

an applicant and which restrictions apply to that type of permit.

Section 4 of the initial permit application, and section 5 of the renewal application, requires that the permit holder sign and date the application. A signature is required on all application forms for legal accountability and protection of the applicant.

The regulations at § 648.4(a)(2)(i)(M) specify that for any vessel acquired after March 1, 1994, a vessel owner is not eligible to be issued a limited access scallop permit for the vessel if the issuance of the permit will result in the vessel owner, or in any other person who is a shareholder or partner of the vessel owner, having an ownership interest in a total number of limited access scallop vessels and limited access scallop confirmations of permit history in excess of 5 percent of the number of all limited access scallop vessels and confirmations of permit history at the time of permit application. The same provisions are outlined for the LAGC Atlantic scallop permit holders at §648.53 (h)(3)(ii). Having an ownership interest includes, but is not limited to, persons who are shareholders in a vessel owned by a corporation, who are partners (general or limited) to a vessel owner, or who, in any way, partly own the vessel. Completion of the Atlantic Scallop Ownership Form permits NMFS to ascertain, in accordance with the regulations at §648.4 (a)(2)(i)(M), the percent of ownership of the limited access or LAGC Atlantic scallop permit applicants.

The renewal application differs from the initial application in that each year a pre-printed application, based on the most recent permit, is mailed to each permit holder. Any changes that are necessary can be quickly accomplished simply by noting the changes in the appropriate “Changes” column. The renewal application enables the vessel owner to renew permits by simply signing and returning the form. However, if the vessel owner wants to make changes to the vessel’s permits, or if the applicant no longer owns the vessel, this can be noted on the application by checking the appropriate section. The information provided is used by the NMFS permit office to ensure that data are accurate and up-to-date.

#### **Dealer/Processor Application (Initial and Renewal):**

Dealer permits are issued annually or more frequently if changes are requested by the applicant. There are two types of applications, initial and renewal. Section 1 of the Dealer permit application requests information on the dealer including vessel permit number, company name, owner name, company street and mailing address, and telephone and FAX number where applicable. In section 2, the applicant selects the fisheries for which he/she wants dealer permits. Section 3 is the signature block section where the applicant attests to the truth and accuracy of the information provided. Dealer information can be used by enforcement officers to check for regulatory infractions in all of the fisheries, and by NMFS scientists and economists as a basis for sampling. The dealer permit requirement ensures complete reporting from dealers for federally permitted fisheries. Reports furnished by permitted dealers are used to gather important information on the volume, value, and distribution of high value, overfished stocks at the point of first purchase.

#### **Operator Application (Initial and Renewal):**

Any operator of a vessel fishing for or possessing: Atlantic sea scallops, NE multispecies, spiny dogfish, monkfish, Atlantic herring, Atlantic surfclam, ocean quahog, Atlantic mackerel, squid, butterfish, scup, black sea bass, or Atlantic bluefish, harvested in or from the EEZ; tilefish harvested

in or from the EEZ portion of the Tilefish Management Unit; skates harvested in or from the EEZ portion of the Skate Management Unit; or Atlantic deep-sea red crab harvested in or from the EEZ portion of the Red Crab Management Unit, issued a permit, including carrier and processing permits, must carry a valid operator permit on board. These permits are renewed every three years. The Operator Permit Application requires that the applicant provide the following information: Name, address, city, state and zip code, telephone number, birth date, hair color, eye color, height, and weight. The applicant must include one passport-sized photograph with their application to ensure positive identification and aid in enforcement actions. The vessel operator permit enables NMFS to send notices of proposed or approved regulatory changes to vessel operators as well as vessel owners, improving the flow of information to the industry and their ability to stay informed of regulatory changes. In addition, the issuance of permits to vessel operators serves as a compliance tool.

### **Vessel Replacement and Confirmation of Permit History (RPH):**

In order to replace a vessel holding limited access permits with another vessel or retain a vessel's limited access permit history, a vessel owner or authorized representative must complete an RPH application. The purpose of this form is to formalize procedures necessary to insure that vessel owners replace vessels within the required parameters (10 percent for length overall and 20 percent for horsepower), with the exception of limited access Handgear A permitted vessels (§648.4(a)(E)). This form also formalizes the procedures by which vessel owners may retain their vessel's limited access permit history.

Applicants are asked to indicate the type of action being requested on the first page of the application. The instructions listed on this page then direct the applicant to the appropriate section of the application. All applicants must complete the information listed on page 2 of the application: Name of the old vessel, permit number, USCG or state registration number, current owner of vessel or permit history, street and mailing address of owner, telephone number of owner, and owner signature. In cases where the owner no longer owns the vessel, but has retained the fishing history, a bill of sale stating the retention of history signed by both the buyer and seller must be submitted.

Section A is to be completed by applicants wishing to replace their old vessel. This section requests information pertaining to the name of the new vessel, permit number (if applicable), USCG or state registration number, and the type of limited access permits being transferred. Applicants must submit proof of size and horsepower for both old and new vessels to ensure the replacement is within the required parameters. The original vessel is that which first received the limited access permit for a particular fishery. The baseline is established according to the year when that fishery's limited access permits were first issued.

Section B is completed by applicants wishing to retain their vessel's limited access permit history. In the event that the vessel was sold, the applicant must submit a bill of sale signed by both the buyer and seller stating that the fishing history was retained by the seller. In the instance the vessel sank or was destroyed, the applicant must submit proof of this with a USCG marine casualty report, other proof of casualty, or insurance document. Once the application and supporting documents are received by NMFS, a Confirmation of Permit History certificate will be processed and sent to the applicant.

Section D lists the acceptable forms and sources of verification for vessel specifications, vessel

ownership, vessel history retention, and vessel sinkage or destruction. This information is necessary so that the regulations can be administered as they were written and to further the conservation goals and objectives of these fisheries (§648.4(a)(1)(i)(F)).

The number of vessel owners replacing, upgrading, or retaining their vessel's fishing history varies depending on circumstance. Thus, it is difficult to estimate how many vessel owners will need to complete an RPH application on an annual basis. The regulations state that a vessel owner with a limited access or moratorium fishing permit is limited to one vessel replacement per permit year (§648.4(a)(E)). This prevents "stacking" of permits.

### **VMS Requirements:**

The data collected through the VMS are used in many analyses by NMFS, the Councils, states, Departments of State and Commerce, OMB, Corps of Engineers, Congressional staffs, academics, researchers, the fishing industry and the public. The VMS declarations are used by vessel owners and agency representatives to monitor and enforce area based management measures and to track fishing effort relative to catch.

Vessels required to have an operational VMS unit on board must complete a form supplied by NMFS verifying that a VMS unit has been installed on the vessel and is operational. The form requests information regarding vessel name, Federal permit number, vessel documentation or state registration number, information (name, address, and telephone number) on the installing dealer, date of installation, serial number of unit, and e-mail address of vessel. The form also requests responses to questions regarding whether or not the unit is operational, if operating instructions have been provided to the vessel owner, and if the vessel owner has been trained on use of the VMS unit by the vendor. Once the form has been completed, the vessel owner or authorized representative signs and dates the form, and returns it to the address listed on the form. In addition, in order to ensure VMS unit connectivity, all vessel owners required, or choosing to use, VMS units would be required to call NMFS OLE to confirm connectivity of new and replacement VMS units.

### **VMS Reporting:**

#### Activity declaration:

The owner or operator of a vessel issued a permit type with a VMS requirement must use their VMS unit to declare into the fishery for the species they will target prior to leaving port on each trip for the following fishing trips: limited access scallop, general category scallop, multispecies sector or DAS, monkfish DAS, herring, surfclam, ocean quahog, Maine mahogany quahog, longfin/ *Illex* quid, and mackerel. This information collection also includes when vessels declare out of fishery to target other species using their VMS units. Vessel on a declared NE multispecies and Monkfish trips may also send additional activity declarations while in the NE fishery to change the type of trip under three circumstances: Flip, Flex, and Monkfish Change. Specifically, a vessel owner may change their DAS type (Flip), declare additional regulatory areas (Flex), and change from a NE multispecies DAS trip to a Monkfish DAS trip while continuing to abide by all NE multispecies DAS regulations (Monkfish Change).

#### Atlantic herring vessels:

The owner or operator of a VMS-equipped vessel who declares a herring trip must report catch (retained and discarded) of herring daily via VMS, unless exempted by the Regional Administrator. The report includes at least the following information, and any other information required by the Regional Administrator: Fishing Vessel Trip Report (FVTR) serial number; operator permit number; month, day, and year herring was caught; pounds retained and discarded for each herring management area, and whether a slippage event occurred while a NMFS observer was onboard and the reason for the slippage. The owner or operator of any vessel issues a limited access herring permit that fishes any part of a tow with midwater trawl gear (including midwater pair-trawl gear) in Management Areas 1A, 1B, and/or 3 must also report the estimated total amount of all species retained (in pounds, landed weight) from each NMFS statistical area. VMS catch reports must be submitted in 24-hr intervals for each day and must be submitted by 0900 hr of the following day. Daily Reports are required even if herring caught that day has not yet been landed.

All vessels on a declared herring trip are also required to notify NMFS Law Enforcement via VMS of the time and place of offloading, operator permit number and FVTR number at least six hours prior to their arrival to port (or if the fishing ends less than six hours prior to arrival, as soon as the vessel stops fishing.)

Atlantic mackerel and Squid limited access vessels:

The owner or operator of a VMS-equipped vessel who declares a mackerel or squid trip must report catch, retained of mackerel, Longfin and Illex squid via VMS daily, unless exempted by the Regional Administrator.

The report shall include at least the following information, and any other information required by the Regional Administrator: FVTR serial number; operator permit number; month, day, and year fish was caught; pounds of species retained and discarded; total pounds retained for all species including mackerel/squid, and whether a slippage event occurred while a NMFS observer was onboard and the reason for the slippage. Daily Atlantic mackerel, longfin and Illex squid VMS catch reports must be submitted in 24-hr intervals for each day and must be submitted by 0900 hr of the following day. Reports are required even if mackerel, longfin or Illex squid caught that day has not yet been landed.

Limited access mackerel vessels on trips that land more than 20,000 lb are also required to notify NMFS Law Enforcement via VMS of the time and place of offloading, operator permit number and the FVTR number, at least six hours prior to arrival to port (or if fishing ends less than six hours prior to arrival, upon leaving the fishing grounds.)

NE multispecies limited access vessels:

The owner or operator of a VMS-equipped vessel who declares a NE multispecies trip must report catch (retained) of NE multispecies either daily or per-trip via VMS, unless exempted by the Regional Administrator. The report includes at least the following information, and any other information required by the Regional Administrator: FVTR

serial number; operator permit number; month, day, and year fish was caught; and pounds retained by NMFS statistical area. Daily reporting is required if the vessel is declared into the Gulf of Maine (GOM) broad stock area (BSA) and any other BSA, any part of the Eastern US/Canada Area, or notifies NMFS of the intent to fish on an authorized trip exemption, otherwise trip-level reporting is acceptable. In addition to daily reporting, a catch report must be sent upon switching to smaller mesh when fishing under an exemption. Daily VMS catch reports must be submitted in 24-hr intervals for each day and must be submitted by 0900 hr of the following day. Daily reports are required regardless of the area actually fished, even if no fish are caught, and even if fish caught that day have not yet been landed.

Limited access sector vessels declaring a groundfish trip must send a trip start hail from port if the operator intends to fish on a NMFS exemption during the trip. The trip start hail must include: FVTR number, operator permit number, whether an at-sea monitor or observer is onboard, sector exemption(s) to be fished, estimated landing location and date/time, and estimated offload date/time for trips less than six hours in length (or if the trip will be fished within 6 hrs of the offload port). All vessels (sector and common pool) on a groundfish-declared trip must send a multi-species trip end hail through their VMS unit at least 6 hours before arrival to port (or if fishing ends less than six hours before arrival, after the last tow or hauling of gear). The trip end hail must include: FVTR number, operator permit number, landing location and date/time, dealer offload location and date/time, total pounds of groundfish retained, and total amount of non-groundfish retained.

#### Monkfish:

Those VMS-equipped vessels on monkfish-declared trips that exceed their DAS charge by one extra DAS trip limit as authorized by regulation must submit a monkfish trip limit overage DAS adjustment report through their VMS before crossing the VMS demarcation line on return to port. The report must include: FVTR number, operator permit number, and landing date/time.

#### Sea Scallop:

All VMS-equipped vessels on scallop-declared trips, except those vessels on single-day trips, must submit a scallop daily catch report by 0900 daily. The report must include: FVTR number, operator permit number, date that fish were caught, scallop meats retained in pounds, and the total pounds of all other fish retained. Limited access and General Category vessels must also submit a scallop pre-landing notification at least 6 hours before arrival (or after fishing ends if less than six hours before arrival) when on a declared limited access or general category scallop trip, when fishing on a general category IFQ or NGOM scallop permit outside the scallop fishery when scallops are kept, or when declaring out of the limited access scallop DAS fishery to transit to a port south of 39 degrees North with scallops onboard. The prelanding report must include: FVTR number, operator permit number, whether the report is a corrected report for a previously-submitted report and the date of the previous report, and whether scallops will be retained/landed. If scallops will be retained/landed, additionally the report must

include: whether any scallops were caught in the Northern Gulf of Maine Management Area, weight of meats and bushels in-shell in pounds, total weight of all other species retained in pounds, and landing location and date/time.

#### RSA and EFP trips:

VMS-equipped vessels on declared research set-aside (RSA) or exempted fishing permit (EFP) trips must send a VMS trip start hail and trip end hail report if specifically required by their RSA or EFP Letter of Authorization (LOA). The trip start hail must be submitted prior to leaving port and include: FVTR number, operator permit number, NMFS-assigned RSA or EFP project code, NMFS landing port code, landing state, and estimated landing date/time. The trip end hail must be submitted six hours before arrival (or if fishing ends less than six hours before arrival, upon leaving the fishing grounds) and include: FVTR number, operator permit number, NMFS-assigned RSA or EFP project code, NMFS landing port code, landing state, estimated arrival and offload date/time, RSA/EFP product retained and discarded in pounds, and whether the vessel will land both commercial and RSA allocation.

#### **DAS Credits**

There is one DAS credit request form with three options that is used by NMFS to determine if a DAS credit is warranted. All DAS credit requests require the following information: Vessel name, owner name, permit number, USGC documentation or state registration number, vessel operator, trip departure and landing date, and fishery. A signature is required on all forms for legal accountability and protection of the applicant. The number of vessel owners requesting DAS credits varies depending on circumstance. Thus, it is difficult to estimate how many vessel owners will need to complete a DAS credit request form on an annual basis.

#### Good Samaritan DAS Credits:

Limited access vessels fishing under DAS requirements that have assisted in USCG search and rescue operations or assisted in towing a disabled vessel may apply for Good Samaritan credits . This provision enables such vessels to not accrue DAS for the documented time of their assistance efforts. Vessel may request DAS credit for time assisting USCG search and rescue via the DAS credit request form. This option requires at least the following information: Date and time when the vessel began assisting in search and rescue activities, date and time when the vessel recommenced fishing, vessel information for the assisted vessel, and the location of the incident. Vessels may, in theory, assist in search and rescue activities multiple times per year and request DAS credit for such efforts. This information would then be used by NMFS OLE staff to verify that the vessel met the provision's requirements and to provide DAS credit for time spent, if appropriate.

#### DAS Credit for Standing by an Entangled Whale:

Vessels standing by an entangled whale would be required to notify the USCG and/or the Center for Coastal Studies of the location of the entangled whale and that the vessel



intends to stand by the entangled whale until a response team arrives. The vessel would be required to remain available to answer questions on the condition of the animal, possible species identification, severity of entanglement, etc., and take photographs of the whale, if possible. Once a response team arrives or the vessel is notified that a response team is not available to conduct a rescue operation, the vessel may discontinue standing by the entangled whale and can resume fishing operations. The vessel could then request DAS credit for time spent standing by the entangled whale via the DAS credit request form. This option requires at least the following information: Date and time when the vessel began its stand-by status, date of first communication with the USCG and/or the Center for Coastal Studies, and date and time when the vessel terminated its stand-by status. Vessels may, in theory, stand by multiple entangled whales per year and request DAS credit for such efforts.

Information provided by the vessel to the USCG and/or the Center for Coastal Studies would be used by these organizations to identify the species of the whale, track the position of the animal, and monitor the condition of its entanglement. This information would then be used by NMFS OLE staff to verify that the vessel had stood by an entangled whale and to provide DAS credit for time spent standing by an entangled whale, if appropriate.

#### DAS Credit for a Canceled Trip:

Vessels will request a DAS credit if they have declared a trip, but have not engaged in any fishing activity. The vessel's VMS will provide data that will help determine whether or not the vessel had engaged in setting or hauling fishing gear. To ensure the enforceability of this provision, vessels seeking a canceled trip DAS credit are required to notify NMFS Office of Law Enforcement to coordinate a monitored landing event. The initial notification method depends upon the reporting requirements of the vessel's permit type. The credit request form requires the date and time of initial notification and reason for ending the trip for this option.

#### **Vessel Monitoring System Power Down Exemption:**

Vessels carrying permits that require VMS and vessels choosing to use VMS may apply for a power down exemption to stop position transmission under certain provisions provided the vessel would be out of the water for a minimum of 72 hours, or at dock/mooring and not engaging in any fisheries for a minimum of one month. The information required on the VMS Power Down Exemption Form is necessary to maintain compliance with area closures and DAS provisions. The form requests the vessel name, Federal permit number, vessel documentation or state registration number, duration of the exemption period (the dates that the VMS unit will be turned on and off), and either 1) the shipyard address where the vessel will be out of the water for more than 72 consecutive hours, or 2) the port location at which the vessel will be docked/moored for a minimum one month period. There is no limit to either the length of time a VMS unit may be turned off or the number of times a vessel may participate in this program.

#### **Exemption Programs Authorized for Federal Permit Holders:**

In addition to permits, this family of forms includes requirements for participation in Northeast exemption programs.

Federally permitted vessel operators/owners seeking to participate in the exemption programs for all fisheries where such programs are authorized, may be required to obtain either a Letter of Authorization or an exemption permit/certificate for their vessel from NMFS during period of the exemption program. For admittance into an exemption program, the entrant may be required to notify NMFS of intent to participate, or for some exemption programs, the entrant may provide entry and exit notice via a telephone call or VMS. These LOAs or exemption permits are to be kept on board the vessel during the extent of program participation in order to verify enrollment in the exemption program. This documentation is used by OLE to determine what regulations are applicable. Data about fishing behavior and performance from exemption programs may also be used in management decisions.

The information collected for participation in exemption programs consists of vessel owner name, NMFS permit number, vessel name, and participation period, which is filled out on the LOA application form. Vessels wishing to withdraw from a program, after the minimum participation period has been met, must provide NMFS with similar information via phone call or a withdrawal form.

#### **NE Multispecies Gillnet Tagging Program and Day Gillnet Category Designation:**

Vessel owners electing to fish with gillnet gear must complete a gillnet category designation/net tag order form when applying (either through renewal, replacement, or transfer) for a limited access NE multispecies permit. The information requested on this form enables NMFS to monitor and track the level of participation in the gillnet fishery, and its effect on effort reduction and stock rebuilding goals of the NE Multispecies FMP. The first portion of the form requires that gillnet vessels select one of two gillnet category designations: “Day gillnet” or “Trip gillnet.” Owners that declare their vessel as a “Day gillnet” vessel are subject to a maximum number of gillnets determined by the location fished. Vessel owners who elect to fish in the Day gillnet category must also purchase the appropriate number of uniquely numbered net tags-- currently up to but not exceeding 160 tags. Groundfish nets are required to be tagged with two tags, while flatfish nets require only one tag. If any of the original tags are lost (e.g., weather, gear conflicts), the vessel owner or representative must report the lost tags as soon as possible via letter or fax to the RA. The vessel owner may also make a request for replacement tags in the same letter or fax to the RA, including a check for the cost of the replacement tags. If the maximum number of tags is not requested on the initial form, vessel owners may request additional tags at any time during the fishing year via an additional form. To aid in enforcement and administration of the program, gillnet vessel owners are required to carry a Gillnet Fishing Certificate onboard their vessel. This Certificate identifies the category designation in which the vessel is enrolled and, if enrolled under the day gillnet designation, the amount of tags and tag numbers that were issued.

The use of a restricted number of tags prevents uncontrolled increases in the number of nets used by vessel operators in response to reductions in DAS. Day gillnet vessels typically return to port each night, after trips of 12 to 15 hours. As DAS are calculated in hours away from port, these trips resulted in more DAS than specified in the reduction schedule (e.g., two trips of 12 hours equaled one 24-hour DAS). Under this requirement, if the vessel declares into the Day gillnet category, each trip under a NE multispecies DAS lasting between 3 and 15 hours is counted as a minimum of 15

hours against the annual DAS allocation. Trips lasting more than 15 hours are counted in hours from the time the vessel called into a DAS until it has returned to port and called out of a DAS.

Conversely, trip gillnet vessels typically remain at sea for one or more days at a time. As a result, each trip under a NE multispecies DAS is counted in hours from the time the vessel called into a DAS until it has returned to port and called out of a DAS.

Vessel owners that declare their vessel a “Trip gillnet” vessel are required to bring all gear to port at the end of each fishing trip. On the other hand, Day gillnet vessels can leave their gear in the water, but must declare 120 days out of the gillnet fishery, in minimum blocks of 7 days. At least 21 of these days must be taken during the period from June 1 through September 30. The purpose of the 120 day period out of the gillnet fishery is to ensure that operators of Day gillnet vessels remove their gear from the water for a significant period of time.

Section 2 of the form requires the applicant to specify how many tags they are ordering, the total amount enclosed, and contact information for the applicant. Section 3 of the form requires vessel, permit, and fishery information associated with the request, and the applicant signature and date block.

### **Monkfish Gillnet Area Declaration and Tagging Program:**

Prior to making a trip, vessels with limited access monkfish permits will be required to declare, for a 30 days or longer period of time, into the Northern Fishery Management Area (NFMA) to fish under the less restrictive size limit (11-inch tail-length) and trip limits. Vessels do not have to declare into the NFMA if they choose to fish under the more restrictive 14-inch minimum size limit. This declaration will require that the vessel fish only in the NFMA during the 30-day period beginning with the date of declaration. If the vessel has not made a NFMA declaration, it will be presumed that the vessel fished in the Southern Fishery Management Area (SFMA) during the trip and the more conservative restrictions will apply to the entire trip. A vessel that has declared its intent to fish only in the NFMA may transit the SFMA provided that it complies with the transiting provisions described in section 5.4 of Monkfish FMP and §648.94(e). The area declaration is needed to ensure that vessels do not fish in the SFMA and transit the NFMA to land monkfish under the less restrictive measures that apply in the NFMA. The minimum 30- day declaration period is necessary to improve enforceability. Otherwise, vessels could rapidly switch fishing areas leading to confusion and poor compliance with the more restrictive measures of the SFMA.

Vessels holding limited access monkfish permits while fishing under a monkfish DAS are required to tag all gillnets being fished, up to a maximum of 160 gillnets, depending on permit type. As a result, owners of vessels holding a limited access monkfish permit must complete the above mentioned gillnet category designation/net tag order form. If the vessel holds a limited access NE multispecies permit, vessel owners may complete this form to comply with NE multispecies and monkfish gillnet tagging requirements simultaneously. However, vessels issued a limited access NE multispecies permit designated in the Trip gillnet category that also hold a limited access monkfish permit are not required to tag gillnets used solely under a NE multispecies DAS. The purpose of this requirement is to control and monitor gillnet effort in the directed monkfish fishery.

### **American Lobster Trap Area Designation and Tagging Program:**

Lobster vessels using trap gear are required to designate trap fishing areas and affix trap tags to their

traps. Permit holders designate their trap areas for the year on the annual permit renewal application. The tags must be purchased using the Lobster Trap Tag Order Form. Part A of the form requests the following information: Permit holder name, address, city, state, zip code, telephone number, vessel name, Federal permit number, and vessel documentation number or state registration number. In part B, the permit holder or authorized representative specifies the number of tags being ordered, the total cost of the tags, and the method of payment. In part C, the permit holder or authorized representative signs and dates the form. Federal lobster permit holders with lobster licenses in states that have a trap tag agreement with the RA must purchase their tags using the equivalent state form. In all cases, Federal permit holders are provided annually with information from NMFS on how to purchase their trap tags. The purpose of the trap tagging program and the information collected is to enforce the number of traps that a vessel is authorized to fish based on the lobster trap fishing areas designated on the permit.

### **State Quota Transfers**

The summer flounder and bluefish regulations allow one or more states to transfer all or part of their annual commercial quota. Two or more states implementing a state commercial quota for summer flounder or bluefish may also request approval from the RA to combine all or part of their quotas into an overall regional quota. The intent of these regulations is to provide a mechanism within the overall coastwide quota to give the states flexibility in quota management, in order to respond to changes in landing patterns or emergency situations. The states wishing to utilize these provisions must apply to the RA with a letter stating their request. Requests for transfer or the combination of commercial quotas for summer flounder or bluefish must be made by individual or joint letter(s) signed by the principal state officials with marine fishery management responsibility and expertise, or his/her previously named designee, for each state involved. The letter(s) must certify that all pertinent state requirements have been met and identify the states involved and the amount of quota transferred or combined (§648.100(d), §648.120(e), §648.160(f)). Such requests must meet the approval of the RA. NMFS uses the information collected to process an in-season action that formally and publically transfers the quota. The frequency of requests is dependent upon supply and demand of a state's summer flounder or bluefish quota.

### **Vessel Owner Single Letter Option**

In order to request a single mailing for a business with multiple commercial fishing permits, the vessel owner must fill out a the vessel owner single letter option form and mail it to the NMFS Northeast region permit office. Vessel owners can request this option so that they receive fewer mailings from NMFS. This reduces the overall burden of paper that is received by vessel owners regarding fisheries regulations on an annual basis. This information collection was used in a one-time action, and there are no current plans to advertise it again, but it may be requested individually.

NOAA 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 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.**

After the initial permit issuance, permit renewal has been made as simple as possible and currently feasible for both the public and the issuing office. The information obtained from current permits is used to prepare a computer-generated, pre-printed renewal permit, which is sent to the permit holder for updating. If there are no changes in the information required on the permit, renewal requires only the applicant's signature. This feature minimizes the reporting burden on the public as well as the administrative burden on the agency.

Permit information and all initial permit applications are posted as fillable Adobe Acrobat documents (PDF file format) on the Greater Atlantic Regional Office's (GARFO) web site: <http://www.greateratlantic.fisheries.noaa.gov>. Posting such information on the internet makes it widely available to the public, thereby reducing both public and administrative burden. The Initial Vessel Application, Vessel Operator Permit Application, Initial Dealer Permit, RPH Application, Gillnet Tag Order Form, DAS Credit Request Form, LOA Request Form, VMS Power Down Exemption Request, VMS Certification Form, Missing Gillnet Tag Replacement Form, and Lobster Trap Tag Order Form, along with their respective instructions, can currently be found at <http://www.greateratlantic.fisheries.noaa.gov>. At this time, permit applications, with signature and accompanying documents, must be mailed for legal accountability.

All data submitted through the vessel's VMS unit is electronic. VMS vessel position reporting is automated, while the submission of VMS trip declarations and reports is a manual process required by the vessel operator using the installed VMS unit. All VMS data transmitted by VMS-equipped vessels, both automatic and manual, is collected by NMFS OLE-approved VMS vendors who send that data securely to the NMFS OLE data center via electronic technology. NMFS OLE uses electronic methods to make VMS data available to other authorized users consistent with MSFCMA restrictions.

**4. Describe efforts to identify duplication.**

The information to be collected through the issuance of permits is not duplicated elsewhere. The information collected on daily VMS catch reports is often duplicated on vessel trip reports (VTRs) which are approved under the 0648-0212 family of forms. However, VMS daily catch reports are necessary to monitor fisheries catch in real-time. VTRs are submitted to NMFS on a weekly or monthly basis, and are therefore used to cross-check the accuracy of the daily VMS catch reports. None of the other information collected through this family of forms is duplicated elsewhere.

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

Only the minimum data needed to meet the permit objectives are requested from all respondents. Since most of the respondents are small businesses, separate requirements based on the size of business have not been developed. Detailed instructions are included with the application to help facilitate proper completion of the form.

NMFS has currently certified four vendors to provide VMS service to vessels participating in the fisheries that require VMS as a condition of their permits. Each vendor offers comparable equipment and services over a range of prices. This reduces the burden on the public by increasing competition among vendors, thereby decreasing costs to the fishing industry to obtain and operate a VMS unit. Further, the increased variety of VMS units may allow vessel owners/operators to select the most economical and efficient unit to purchase, therefore minimizing costs associated with VMS. Finally, NMFS OLE manages a grant program that allows vessel owners to recoup the purchase cost of their VMS unit.

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

The consequences of not conducting the collection of information described in Questions 1 and 2 would be immense. Permits and VMS are required by the regulations and if we did not collect the information necessary for the issuance of permits and implementation of VMS programs then no one could legally fish for federally-managed species.

This collection of information is necessary for a variety of reasons. Information on permit applications and renewal forms for vessels, dealers, and operators, is necessary for accurately tracking information about who is issued permits annually, gathering data on permit holders, and ensuring compliance with fishing regulations. Furthermore, this information (in a consolidated form) is used by a variety of researchers, students, and managers when making important fisheries policy decisions.

Information collected during vessel replacements is necessary to ensure that vessel replacements are not occurring outside of the regulatory requirements. VMS units are crucial for enforcing area-based fishing regulations; without VMS tracking of fishing vessel activity, it would be near impossible to monitor whether fishing vessels are complying with such regulations. VMS catch reporting is vital to gaining real-time data on fish catch. Also, VMS hail and pre-landing reports provide advance notice to enforcement personnel in order to verify compliance with fisheries laws and regulations. Without such information, or if the information was collected less frequently, it would be very difficult to monitor fisheries quotas and ensure sustainable harvests that prevent overfishing. To the extent practicable, frequency of information collection under the Permit Family of Forms has been minimized. To reduce the frequency any further would compromise the intent of each collection of information requirement.

An annual request for tags is required of vessel owners participating in the NE multispecies gillnet, monkfish gillnet, and lobster trap fisheries. It is not useful to conduct this collection less frequently since it is expected that tags will routinely be lost as part of doing business. Furthermore, the number of nets and traps being fished by a vessel frequently changes. In addition, annual adjustments allow for further reductions in the number of gillnets and lobster traps to be implemented if such management measures should prove necessary.

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

There are no circumstances in this collection that require information to be collected in a manner

inconsistent with OMB guidelines.

**8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. Describe 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..**

The Federal Register Notice which solicited comment on the revision pursuant to RIN 0648-BI77 published September 17, 2019 (84 FR 48899). No comments were received.

In addition, the Mid-Atlantic Fishery Management Council met on August 13-15, 2019, and the New England Fishery Management Council met on September 24-26, 2019. The revision was announced at both council meetings. The announcement included a summary of the information collections included in this revision and encouraged affected parties to submit comments.

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

No payment or gift will be made to respondents; however, respondents may use tax-exempt Capital Construction Fund monies to purchase VMS devices because of their safety benefits.

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

All data will be handled in accordance with NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics, and will not be released for public use except in aggregate statistical form (and without identifying the source of data, i.e., vessel name, owner, etc.). In addition, any information collected under the Permit Family of Forms would be considered confidential and would not be disclosed except as provided in Section 402(b) of the Magnuson- Stevens Act.

**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.**

There are no questions of a sensitive nature involved in this collection of information.

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

	Type of Respondent (e.g., Profession)	Respondents	Annual # of Responses / Respondent	Total # of Annual Responses	Burden Hrs / Response	Total Annual Burden Hrs	Hourly Wage Rate (for Type of Respondent)	Total Annual Wage Burden Costs
<b>Permit Requirements</b>								
Initial Vessel Permit	45-1011 First-Line Supervisors of Farming, Fishing, and Forestry Workers	644	1	644	0.75	483	\$24.42	\$11,794.86
Vessel Permit Renewal	45-1011	3,750	1	3,750	0.5	1,875	\$24.42	\$45,757.50
Initial Dealer Permit	45-1011	57	1	57	0.25	14	\$24.42	\$341.88
Dealer Permit Renewal	45-1011	795	1	795	0.083	66	\$24.42	\$1,611.72
Initial Operator Permit	45-1011	359	1	359	1	359	\$24.42	\$8,766.78
Operator Permit Renewal	45-1011	7,291	1	7,291	1	7,291	\$24.42	\$178,046.22
<b>Dealer E-mail Collection</b>	45-1011	1,000	1	1,000	0	0	\$24.42	\$0.00
<b>RPH Application</b>								
Replacement/CPH	45-1011	300	1	300	1.5	450	\$24.42	\$10,989.00
History Retention	45-1011	9	1	9	1.5	14	\$24.42	\$341.88
Vessel Specification Verification	45-1011	98	1	98	0	0	\$24.42	\$0.00
Unseaworthy vessel (proof of loss)	45-1011	3	1	3	0	0	\$24.42	\$0.00
<b>TOTALS</b>				<b>14,306</b>		<b>10,552</b>		
<b>VMS Installation</b>		120	1	120	1	120		
<b>Proof of VMS Installation</b>								
VMS Certification Form	45-1011	120	1	120	0.083	10	\$24.42	\$244.20
Industry calling in to confirm reporting to NOAA	45-1011	120	1	120	0.083	10	\$24.42	\$244.20
<b>VMS Satellite Operating Plan</b>	N/A	1,000	12	12,000	0	0	0	0
<b>VMS Operation Automated VMS polling of vessel position</b>								
Scallop	45-1011	220	17,520	3,854,400	0	0	\$24.42	\$0.00
Surfclam/Ocean Quahog	45-1011	90	8,760	788,400	0	0	\$24.42	\$0.00
Herring	45-1011	25	8,760	219,000	0	0	\$24.42	\$0.00
Atlantic Mackerel	45-1011	66	8,760	578,160	0	0	\$24.42	\$0.00
Longfin/Illex Squid	45-1011	190	8,760	1,664,400	0	0	\$24.42	\$0.00
Multispecies	45-1011	250	8,760	2,190,000	0	0	\$24.42	\$0.00
Monkfish	45-1011	70	8,760	613,200	0	0	\$24.42	\$0.00
Declared Out of Fishery (non-vms species)	45-1011	500	8,760	4,380,000	0	0	\$24.42	\$0.00
<b>VMS for Canadian Herring Transport Vessels</b>								
Installation and Operation Maintenance Fees	45-1011	1	1	1	1.3	1	\$24.42	\$24.42
VMS certification form and Installation confirmation	45-1011	1	2	2	0.166	0	\$24.42	\$0.00
Automated VMS polling	45-1011	5	8,760	43,800	0	0	\$24.42	\$0.00
<b>Emails for US EEZ Arrival/Departure and Transhipment Activity</b>	45-0000 Fishing Occupations	5	36	180	0.083	15	\$14.49	\$217.35
<b>TOTALS</b>				<b>14,342,903</b>		<b>156</b>		
<b>Northeast Multispecies VMS Reporting</b>								
<b>Declaration: Limited Access Multispecies Vessels</b>	45-0000	5,000	1	5,000	0.083	417	\$14.49	\$6,042.33



Multispecies Trip Start Hail	45-0000	1,650	1	1,650	0.083	138	\$14.49	\$1,999.62
Multispecies Trip End Hail	45-0000	5,000	1	5,000	0.083	417	\$14.49	\$6,042.33
Multispecies Catch Report	45-0000	16,500	1	16,500	0.083	1,375	\$14.49	\$19,923.75
<b>Atlantic Sea Scallop VMS Reporting</b>								
<b>Declaration:</b> Limited Access & LAGC Scallop Vessels	45-0000	7,500	1	7,500	0.083	623	\$14.49	\$9,027.27
Scallop Pre-Landing Notification	45-0000	7,200	1	7,200	0.083	598	\$14.49	\$8,665.02
Scallop Catch Report	45-0000	12,750	1	12,750	0.083	1,058	\$14.49	\$15,330.42
<b>Herring VMS Reporting</b>								
<b>Declaration:</b> Atlantic Herring Cat A/B/C/E Vessels	45-0000	958	1	958	0.083	80	\$14.49	\$1,159.20
Herring Pre-Landing Notification	45-0000	800	1	800	0.083	67	\$14.49	\$970.83
Herring Catch Report	45-0000	2,700	1	2,700	0.083	225	\$14.49	\$3,260.25
<b>Atlantic Mackerel and Longfin/ Illlex Squid VMS Reporting</b>								
<b>Declaration:</b> Atlantic Mackerel and Longfin Squid, Illlex Limited Access Cat 1, T1, T2, T3 Vessels	45-0000	3,300	1	3,300	0.083	276	\$14.49	\$3,999.24
Mackerel/Longfin/Illlex Squid Catch Report	45-0000	3,100	1	3,100	0.083	258	\$14.49	\$3,738.42
Atlantic Mackerel Pre-Land Notification	45-0000	15	1	15	0.083	1	\$14.49	\$14.49
<b>Surfclam and Quahog VMS Reporting</b>								
<b>Declaration:</b> Surfclam, Ocean Quahog and Maine Mahogany Quahog Vessels	45-0000	4,108	1	4,108	0.083	342	\$14.49	\$4,955.58
<b>Monkfish VMS Reporting</b>								
<b>Declaration:</b> Monkfish Cat F and Vessels Electing to Use	45-0000	1,630	1	1,630	0.083	136	\$14.49	\$1,970.64
Trip Limit Overage Days at Sea Adjustment	45-0000	365	1	365	0.083	30	\$14.49	\$434.70
<b>Declared Out of Fishery VMS Reporting</b>								
<b>Declaration:</b> DOF-reporting Vessels	45-0000	19,360	1	19,360	0.083	1,613	\$14.49	\$23,372.37
<b>RSA/EFP VMS Reporting</b>								
<b>Declaration</b>	45-0000	450	1	450	0.083	37	\$14.49	\$536.13
RSA/EFP Trip Start Hail	45-0000	450	1	450	0.083	37	\$14.49	\$536.13
RSA/EFP Trip End Hail	45-0000	450	1	450	0.083	37	\$14.49	\$536.13
<b>TOTALS</b>				<b>93,286</b>		<b>7,765</b>		
<b>DAS Credits</b>								
<b>Good Samaritan Credits</b>	45-0000	15	1	15	0.5	7.5	\$14.49	\$108.68
<b>DAS Credits for Standing By Entangled Whale</b>								
Notification and Communication with USCG and Center for Coastal Studies	45-0000	20	2	40	2	80	\$14.49	\$1,159.20
Request for DAS Credit	45-0000	50	2	100	0.5	50	\$14.49	\$724.50
<b>DAS Credit for a Canceled Trip</b>								
Form Submission	45-0000	800	1	800	0.5	400	\$14.49	\$5,796.00
<b>TOTALS</b>				<b>955</b>		<b>537.5</b>		
<b>VMS Power Down Exemption</b>								
Multispecies, Monkfish, Scallop, Herring, Surfclam, Ocean Quahog, Maine Mahogany Quahog, Longfin/Illlex Squid/Mackerel Vessels	45-1011 First-Line Supervisors of Farming, Fishing, and Forestry Workers	287	1	287	0.25	72	\$24.42	\$1,758.24
<b>TOTALS</b>				<b>287</b>		<b>72</b>		
<b>Exemption programs authorized for federal permit holders</b>								
Midwater Trawl Exemption	45-1011	16	2	32	0.083	3	\$24.42	\$73.26
Purse Seine Exemption	45-1011	17	2	34	0.083	3	\$24.42	\$73.26

Cultivator Shoals Whiting Exemption	45-1011	13	2	26	0.083	2	\$24.42	\$48.84
Nantucket Shoals Dogfish Exemption	45-1011	5	1	5	0.083	1	\$24.42	\$24.42
Raised Footrope Trawl Whiting Fishery [Sept 1 - Dec 31]	45-1011	20	2	40	0.083	3	\$24.42	\$73.26
Summer Flounder Small-Mesh Exemption	45-1011	18	2	36	0.083	3	\$24.42	\$73.26
SNE Little Tunny Gillnet Exemption	45-1011	6	2	12	0.083	1	\$24.42	\$24.42
Winter Flounder State Waters Exemption	45-1011	77	2	154	0.083	13	\$24.42	\$317.46
Monkfish Southern Fishery Management Area Landing Limit & Minimum Fish Size Exemption	45-1011	10	1	10	0.083	1	\$24.42	\$24.42
WGOM and Cashes Ledge Closed Area Charter/Party Exemption	45-1011	8	1	8	0.083	1	\$24.42	\$24.42
Herring Carrier Exemption	45-1011	32	1	32	0.083	3	\$24.42	\$73.26
Herring Transfer at Sea Exemption	45-1011	32	1	32	0.083	3	\$24.42	\$73.26
Surf Clam/Quahog GB Closed Area Exemption	45-1011	30	1	30	0.083	3	\$24.42	\$73.26
NAFO Regulatory Area	45-1011	1	1	1	0.083	1	\$24.42	\$24.42
GOM Cod Landing Limit Exemption	45-1011	17	1	17	0.083	2	\$24.42	\$48.84
GOM Rolling Closed Area Charter/Party	45-1011	6	1	6	0.083	1	\$24.42	\$24.42
Skate Bait Exemption	45-1011	115	1	115	0.083	10	\$24.42	\$244.20
White and Red Hake Transfer at Sea	45-1011	65	1	65	0.083	5	\$24.42	\$122.10
GOM/GB Transiting	45-1011	10	1	10	0.083	1	\$24.42	\$24.42
Mackerel, Squid, Butterfish Transfer at Sea	45-1011	32	1	32	0.083	1	\$24.42	\$24.42
<b>GSC HMA Clam / Mussel Dredge Exemption Areas</b>	<b>45-1011</b>	<b>33</b>	<b>1</b>	<b>33</b>	<b>0.083</b>	<b>3</b>	<b>\$24.42</b>	<b>\$73.26</b>
<b>TOTALS</b>				<b>730</b>		<b>64</b>		
<b>Change in Multispecies Permit Category</b>	45-1011	150	1	150	0.083	12	\$24.42	\$293.04
<b>TOTALS</b>				<b>150</b>		<b>12</b>		
<b>Gillnet Designations/Request for tags</b>	45-1011	250	1	250	0.083	21	\$24.42	\$512.82
<b>Request for tags (\$1.20 x total number of items (tags))</b>	45-1011	53	160	8,480	0	21	\$24.42	\$512.82
Additional tags	45-1011	75	1	75	0.033	2	\$24.42	\$48.84
Notification of lost tags	45-1011	75	1	75	0.033	3	\$24.42	\$73.26
Attachment of Gillnet Tags	45-1011	75	160	12,000	0.017	1	\$24.42	\$24.42
<b>TOTALS</b>				<b>20,880</b>		<b>48</b>		
<b>Lobster Area 5 Waiver</b>	45-1011	15	3	45	0.33	15	\$24.42	\$366.30
<b>Lobster Area Designation and Requests for Trap Tags</b>	45-1011	1,900	1	1,900	0.167	317	\$24.42	\$7,741.14
Additional tags - assumes entire allocation isn't ordered initially	45-1011	950	1	950	0.167	159	\$24.42	\$3,882.78
Notification of lost tags and replacement of lost tags	45-1011	1,900	1	1,900	0.167	317	\$24.42	\$7,741.14
<b>TOTALS</b>				<b>4,795</b>		<b>808</b>		
<b>State Quota Transfer</b>	45-1011	2	1	2	1	2	\$24.42	\$48.84
<b>Vessel Owner Single Letter Option</b>	45-1011	2	1	2	0.5	1	\$24.42	\$24.42
<b>TOTALS</b>				<b>4</b>		<b>3</b>		
<b>GRAND TOTALS</b>				<b>14,479,296</b>		<b>20,018</b>		

**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).**

	Respondents	Annual # of Responses / Respondent	Total # of Annual Responses	Cost / Response	Total Annual Cost
<b>Permit Requirements</b>					
Initial Vessel Permit	644	1	644	\$ 0.55	\$ 354
Vessel Permit Renewal	3,750	1	3,750	\$ 0.55	\$ 2,063
Initial Dealer Permit	57	1	57	\$ 0.55	\$ 31
Dealer Permit Renewal	795	1	795	\$ 0.55	\$ 437
Initial Operator Permit	359	1	359	\$ 0.55	\$ 197
Operator Permit Renewal	7,291	1	7,291	\$ 5.55	\$ 40,465
<b>Dealer E-mail Collection</b>	1,000	1	1,000	\$ -	\$ -
<b>RPH Application</b>					
Replacement/CPH	300	1	300	\$ 0.55	\$ 165
History Retention	9	1	9	\$ 0.55	\$ 5
Vessel Specification Verification	98	1	98	\$ 375.00	\$ 36,750
Unseaworthy vessel (proof of loss)	3	1	3	\$ 400.00	\$ 1,200
<b>TOTALS</b>			<b>14,306</b>		<b>81,668</b>
<b>VMS Installation</b>	120	1	120	\$ 3,400.00	\$ 408,000
<b>Proof of VMS Installation</b>					
VMS Certification Form	120	1	120	\$ 0.55	\$ 66
Industry calling in to confirm reporting to NOAA	120	1	120	\$ 1.00	\$ 120
<b>VMS Satellite Operation Plan</b>	1000	12	12000	\$ 50.00	\$ 600,000
<b>VMS Operation Automated VMS polling of vessel position</b>					
Scallop	220	17,520	3,854,400	\$ 0.06	\$ 231,264
<b>Surfclam/Ocean Quahog</b>	<b>90</b>	<b>8,760</b>	<b>788,400</b>	<b>\$ 0.06</b>	<b>\$ 47,304</b>
Herring	25	8,760	219,000	\$ 0.06	\$ 13,140
Atlantic Mackerel	66	8,760	578,160	\$ 0.06	\$ 34,690
Longfin/Illex Squid	190	8,760	1,664,400	\$ 0.06	\$ 99,864
Multispecies	250	8,760	2,190,000	\$ 0.06	\$ 131,400
Monkfish	70	8,760	613,200	\$ 0.06	\$ 36,792
Declared Out of Fishery (non-vms species)	500	8,760	4,380,000	\$ 0.06	\$ 262,800
<b>VMS for Canadian Herring Transport Vessels</b>					
Installation and Operation Maintenance Fees	1	1	1	\$ 4,000.00	\$ 4,000
VMS certification form and Installation confirmation	1	2	2	\$ 3.00	\$ 6
Automated VMS polling	5	8,760	43,800	\$ 0.06	\$ 2,628
<b>Emails for US EEZ Arrival/Departure and Transshipment Activity</b>	5	36	180	\$ 1.00	\$ 180
<b>TOTALS</b>			<b>14,343,903</b>		<b>\$ 1,872,254</b>
<b>Northeast Multispecies VMS Reporting</b>					
<b>Declaration: Limited Access Multispecies Vessels</b>	5,000	1	5,000	\$ 0.50	\$ 2,500
Multispecies Trip Start Hail	1,650	1	1,650	\$ 1.00	\$ 1,650
Multispecies Trip End Hail	5,000	1	5,000	\$ 1.00	\$ 5,000
Multispecies Catch Report	16,500	1	16,500	\$ 1.00	\$ 16,500
<b>Atlantic Sea Scallop VMS Reporting</b>					
<b>Declaration: Limited Access &amp; LAGC Scallop Vessels</b>	7,500	1	7,500	\$ 0.50	\$ 3,750
Scallop Pre-Landing Notification	7,200	1	7,200	\$ 1.00	\$ 7,200

Scallop Catch Report	12,750	1	12,750	\$ 0.50	\$ 6,375
<b>Herring VMS Reporting</b>					
Declaration: Atlantic Herring Cat A/B/C/E Vessels	958	1	958	\$ 0.50	\$ 479
Herring Pre-Landing Notification	800	1	800	\$ 1.00	\$ 800
Herring Catch Report	2,700	1	2,700	\$ 1.00	\$ 2,700
<b>Atlantic Mackerel and Longfin/ Illlex Squid VMS Reporting</b>					
Declaration: Atlantic Mackerel and Longfin Squid, Illlex Limited Access Cat 1, T1, T2, T3 Vessels	3,300	1	3,300	\$ 0.50	\$ 1,650
Mackerel/Longfin/Illlex Squid Catch Report	3,100	1	3,100	\$ 1.00	\$ 3,100
Atlantic Mackerel Pre-Land Notification	15	1	15	\$ 1.00	\$ 15
<b>Surfclam and Quahog VMS Reporting</b>					
Declaration: Surfclam, Ocean Quahog and Maine Mahogany Quahog Vessels	4,108	1	4,108	\$ 0.50	\$ 2,054
<b>Monkfish VMS Reporting</b>					
Declaration: Monkfish Cat F and Vessels Electing to Use	1,630	1	1,630	\$ 0.50	\$ 815
Trip Limit Overage Days at Sea Adjustment	365	1	365	\$ 0.50	\$ 183
<b>Declared Out of Fishery VMS Reporting</b>					
Declaration: DOF-reporting Vessels	19,360	1	19,360	\$ 0.50	\$ 9,680
<b>RSA/EPF VMS Reporting</b>					
Declaration	450	1	450	\$ 0.50	\$ 225
RSA/EPF Trip Start Hail	450	1	450	\$ 0.50	\$ 225
RSA/EPF Trip End Hail	450	1	450	\$ 0.50	\$ 225
<b>TOTALS</b>			<b>93,286</b>		<b>\$ 65,125.50</b>
<b>DAS Credits</b>					
Good Samaritan Credits	15	1	15	\$ 1.44	\$ 22
<b>DAS Credits for Standing By Entangled Whale</b>					
Notification and Communication with USCG and Center for Coastal Studies	20	2	40	\$ 1.44	\$ 58
Request for DAS Credit	50	2	100	\$ 1.44	\$ 144
<b>DAS Credit for a Canceled Trip</b>					
Form Submission	800	1	800	\$ 1.44	\$ 1,152
<b>TOTALS</b>			<b>955</b>		<b>\$ 1,375</b>
<b>VMS Power Down Exemption</b>					
Multispecies, Monkfish, Scallop, Herring, Surfclam, Ocean Quahog, Maine Mahogany Quahog, Longfin/Illlex Squid/Mackerel Vessels	287	1	287	\$ 0.55	\$ 158
<b>TOTALS</b>			<b>287</b>		<b>\$ 158</b>
<b>Exemption programs authorized for federal permit holders</b>					
Midwater Trawl Exemption	16	2	32	\$ 0.55	\$ 18
Purse Seine Exemption	17	2	34	\$ 0.55	\$ 19
Cultivator Shoals Whiting Exemption	13	2	26	\$ 0.55	\$ 14
Nantucket Shoals Dogfish Exemption	5	1	5	\$ 0.55	\$ 3
Raised Footrope Trawl Whiting Fishery [Sept 1 - Dec 31]	20	2	40	\$ 0.55	\$ 22
Summer Flounder Small-Mesh Exemption	18	2	36	\$ 0.55	\$ 20
SNE Little Tunny Gillnet Exemption	6	2	12	\$ 0.55	\$ 7
Winter Flounder State Waters Exemption	77	2	154	\$ 0.55	\$ 85
Monkfish Southern Fishery Management Area Landing Limit & Minimum Fish Size Exemption	10	1	10	\$ 0.55	\$ 6
WGOM and Cashes Ledge Closed Area Charter/Party Exemption	8	1	8	\$ 0.55	\$ 4

Herring Carrier Exemption	32	1	32	\$ 0.55	\$ 18
Herring Transfer at Sea Exemption	32	1	32	\$ 0.55	\$ 18
Surf Clam/Quahog GB Closed Area Exemption	30	1	30	\$ 0.55	\$ 17
NAFO Regulatory Area	1	1	1	\$ 0.55	\$ 1
GOM Cod Landing Limit Exemption	17	1	17	\$ 0.55	\$ 9
GOM Rolling Closed Area Charter/Party	6	1	6	\$ 0.55	\$ 3
Skate Bait Exemption	115	1	115	\$ 0.55	\$ 63
White and Red Hake Transfer at Sea	65	1	65	\$ 0.55	\$ 36
GOM/GB Transiting	10	1	10	\$ 0.55	\$ 6
Mackerel, Squid, Butterfish Transfer at Sea	32	1	32	\$ 0.55	\$ 18
<b>GSC HMA Clam / Mussel Dredge Exemption Areas</b>	<b>33</b>	<b>1</b>	<b>33</b>	<b>\$ 0.55</b>	<b>\$ 18</b>
<b>TOTALS</b>			<b>730</b>		<b>\$ 402</b>
<b>Change in Multispecies Permit Category</b>	150	1	150	\$ 0.50	\$ 75
<b>TOTALS</b>			<b>150</b>		<b>\$ 75.00</b>
<b>Gillnet Designations/Request for tags</b>	250	1	250	\$ -	\$ -
<b>Request for tags (\$1.20 x total number of items (tags))</b>	53	160	8,480	\$ 1.20	\$ 10,176.00
Additional tags	75	1	75	\$ -	0
Notification of lost tags	75	1	75	\$ -	\$ -
Attachment of Gillnet Tags	75	160	12,000	\$ -	\$ -
<b>TOTALS</b>			<b>20,880</b>		<b>\$ 10,176.00</b>
<b>Lobster Area 5 Waiver</b>	15	3	45	\$ -	\$ -
<b>Lobster Area Designation and Requests for Trap Tags</b>	1,900	1	1,900	\$ 132.62	\$ 251,978
Additional tags - assumes entire allocation isn't ordered initially	950	1	950	\$ -	\$ -
Notification of lost tags and replacement of lost tags	1,900	1	1,900	\$ 12.06	\$ 22,910
<b>TOTALS</b>			<b>4,795</b>		<b>\$ 274,888</b>
<b>State Quota Transfer</b>	2	1	2	\$ 20.00	\$ 40.00
<b>Vessel Owner Single Letter Option</b>	2	1	2	\$ 0.55	\$ 1.10
<b>TOTALS</b>			<b>4</b>		<b>\$ 41</b>
<b>GRAND TOTALS</b>			<b>14,479,296</b>		<b>\$ 2,306,161</b>

**14. Provide estimates of annualized cost to the Federal Government.**

**Vessel, Dealer, and Operator Permits**

All Federal fishery permits, annual renewals for Federal fishery permits, dealer permits, and operator permits are included in this collection of information. Estimated annualized cost to the Federal Government assumes that the average cost for issuance of a permit is \$33/permit, including labor, printing, distribution, computer time, and handling. Estimated annualized cost to process applications for vessel replacement or history retention/CPH assumes a \$25/hour wage and overhead value for the Government. It does not cost the government anything to collect dealer and vessel email addresses.

	# of Entities	Items per Entity	Total # of Items	Govt. Cost
<b>Permit Requirements</b>				
Initial Vessel Permit	644	1	644	\$21,252
Vessel Permit Renewal	3,750	1	3,750	\$123,750
Initial Dealer Permit	57	1	57	\$1,881
Dealer Permit Renewal	795	1	795	\$26,235
Initial Operator Permit	359	1	359	\$11,847
Operator Permit Renewal <sup>(2)</sup>	7,291	1	7,291	\$240,603
<b>Dealer E-mail Collection</b>	1,000	1	1,000	\$0
<b>RPH Application</b>				
Replacement/CPH	300	1	300	\$11,250
History Retention	9	1	9	\$338
Vessel Specification Verification <sup>(3)</sup>	98	1	98	\$0
Unseaworthy vessel (proof of loss)	3	1	3	\$0

**VMS Installation and Operation**

VMS Installation does not have any burden to the government, however government processing of the VMS certification form and the call-in for unit confirmation takes 10 minute per form/call- in at the rate of \$25/hour. Processing the Canadian transport vessels confirmation takes 15 minutes per confirmation at the rate of \$25/hour. It also takes government employees 5 minutes to review and process each report submitted by the Canadian transport vessels at a rate of \$25/hour.

	# of Entities	Items per Entity	Total # of Items	Govt. Cost
<b>VMS Installation</b>	120	1	120	\$0
<b>Proof of VMS Installation</b>				
VMS Certification Form	120	1	120	\$500

Industry calling in to confirm reporting to NOAA	120	1	120	\$250
VMS Satellite Operation Plan	1,000	12	12,000	\$0
<b>VMS Operation Automated VMS polling of vessel position</b>				
Scallop	220	17,520	3,854,400	\$0
Surf Clam/Ocean Quahog	90	8,760	788,400	\$0
Herring (Categories A, B and C)	25	8,760	219,000	\$0
Atlantic Mackerel	66	8,760	578,160	\$0
Longfin Squid	190	8,760	1,664,400	\$0
Multispecies	250	8,760	2,190,000	\$0
Monkfish	70	8,760	613,200	\$0
Declared Out of Fishery (non-VMS species)	500	8,760	4,380,000	\$0
<b>VMS for Canadian Herring Transport Vessels</b>				
Installation and Operation Maintenance Fees	1	1	1	\$0
VMS certification form and Installation confirmation	1	2	2	\$6
Automated VMS polling	5	8,760	43,800	\$0
Emails for US EEZ Arrival/Departure and Transshipment Activity	5	36	180	\$375

## VMS Reporting

Government employees are estimated to take 0.3 hours to process VMS reports at a rate of \$25/hour.

	# of Entities	Items per Entity	Total # of Items	Govt. Cost
<b>Northeast Multispecies VMS Reporting</b>				
<b>Declaration:</b> Limited Access Multispecies Vessels	5,000	1	5,000	\$140,750
Multispecies Trip Start Hail	1,650	1	1,650	
Multispecies Trip End Hail	5,000	1	5,000	
Multispecies Catch Report	16,500	1	16,500	
<b>Atlantic Sea Scallop VMS Reporting</b>				
<b>Declaration:</b> Limited Access & LAGC Scallop Vessels	7,500	1	7,500	\$137,250
Scallop Pre-Landing Notification	7,200	1	7,200	
Scallop Catch Report	12,750	1	12,750	
<b>Herring VMS Reporting</b>				
<b>Declaration:</b> Atlantic Herring Cat A/B/C/E Vessels	958	1	958	\$5,988
Herring Pre-Landing Notification	800	1	800	
Herring Catch Report	2,700	1	2,700	
<b>Atlantic Mackerel and Longfin/ <i>Illex</i> Squid VMS Reporting</b>				
<b>Declaration:</b> Atlantic Mackerel and Longfin/ <i>Illex</i> Squid, Butterfish Limited Access Cat 1, T1, T2, T3 Vessels	3,300	1	3,300	\$20,625
Mackerel/Longfin/ <i>Illex</i> Squid Catch Report	15	1	15	
Atlantic Mackerel Pre-Land Notification	3,100	1	3,100	
<b>Surfclam and Quahog VMS Reporting</b>				
<b>Declaration:</b> Surfclam, Ocean Quahog and Maine Mahogany Quahog Vessels	4,108	1	4,108	\$20,540
<b>Monkfish VMS Reporting</b>				
<b>Declaration:</b> Monkfish Cat F and Vessels Electing to Use	1,630	1	1,630	\$8,150
Trip Limit Overage Days at Sea Adjustment	365	1	365	
<b>Declared Out of Fishery VMS Reporting</b>				
<b>Declaration:</b> DOF-reporting Vessels	19,360	1	19,360	\$96,800
<b>RSA/EFP VMS Reporting</b>				
<b>Declaration (see Note)</b>	450	1	450	\$2,250
RSA/EFP Trip Start Hail	450	1	450	\$2,250
RSA/EFP Trip End Hail	450	1	450	\$2,250



### Good Samaritan Credits and DAS Credits for Standing By Entangled Whales

Cost to the government associated with applications for Good Samaritan Credits and DAS credits for standing by entangled whales are estimated at \$25 per hour for each request.

	# of Entities	Items per Entity	Total # of Items	Govt. Cost
<b>Good Samaritan Credits</b>	15	1	15	\$188
<b>DAS Credits for Standing By Entangled Whale</b>				
Notification and Communication with USCG and Center for Coastal Studies	10	2	20	\$1,000
Request for DAS Credit	10	2	222	\$1,250

### DAS Credit for a Canceled Trip

Cost to the government associated with DAS Credit for a Canceled Trip is estimated at \$25 per hour for each request.

	# of Entities	Items per Entity	Total # of Items	Govt. Cost
<b>DAS Credit for a Canceled Trip</b>				
Form Submission	800	1	800	\$10,000

### VMS Power Down Exemption

Government processing of VMS power down exemption requests is estimated to be 0.3 hours per request at a rate of \$25/hour.

	# of Entities	Items per Entity	Total # of Items	Govt. Cost
<b>VMS Power Down Exemption</b>				
Multispecies, Monkfish, Scallop, Herring, Surfclam, Ocean Quahog, Maine Mahogany Quahog, Longfin/Illex Squid/Mackerel Vessels	287	1	287	\$1,869

### Exemption programs authorized for permit holders

The cost burden associated with issuing LOAs for exemption programs authorized for permit holder is estimated to be \$25/hour to the Government.

	# of Entities	Items per Entity	Total # of Items	Govt. Cost
<b>Exemption programs authorized for federal permit holders</b>				
Midwater Trawl Exemption	16	2	32	\$75
Purse Seine Exemption	17	2	34	\$75
Cultivator Shoals Whiting Exemption	13	2	26	\$50
Nantucket Shoals Dogfish Exemption	5	1	5	\$25
Raised Footrope Trawl Whiting Fishery [Sept 1 - Dec 31]	20	2	40	\$50
Summer Flounder Small-Mesh Exemption	18	2	36	\$75
SNE Little Tunny Gillnet Exemption	6	2	12	\$25
Winter Flounder State Waters Exemption	75	2	154	\$325
Monkfish Southern Fishery Management Area Landing Limit & Minimum Fish Size Exemption	10	1	10	\$25
WGOM and Cashes Ledge Closed Area Charter/Party Exemption	8	1	8	\$25
Herring Carrier Exemption	32	1	32	\$75
Herring Transfer at Sea Exemption	32	1	32	\$75
Surf Clam/Quahog GB Closed Area Exemption	30	1	30	\$100
NAFO Regulatory Area	1	1	1	\$25
GOM Cod Landing Limit Exemption	17	1	17	\$25
GOM Rolling Closed Area Charter/Party	6	1	6	\$25
Skate Bait Exemption	115	1	115	\$250
White and Red Hake Transfer at Sea	65	1	65	\$125
GOM/GB Transiting	10	1	10	\$25
Mackerel, Squid, Butterfish Transfer at Sea	32	1	32	\$75
GSC HMA Clam / Mussel Dredge Exemption Areas	33	1	33	\$75

### Change in multispecies permit category

The cost to government from the change in multispecies permit category and transiting to another port information collections are an estimated at 0.25 hours per request at a rate of \$25/hour (see details below).

	# of Entities	Items per Entity	Total # of Items	Govt. Cost
<b>Change in Multispecies Permit Category</b>	150	1	150	\$938

### Gillnet and Lobster Trap tagging

The cost to the Federal Government associated with NE multispecies and monkfish gillnet category designation, the issuance of initial and replacement tags, and the act of updating the tag database to account for lost tags are estimated to be \$25/hour. No cost is associated with the attachment of tags to gillnets. Similarly, the cost associated with lobster area designation and issuance of lobster trap tags, and responses to notification of lost tags is \$25 per hour.

	# of Entities	Items per Entity	Total # of Items	Govt. Cost
<b>Gillnet Designations/Request for tags</b>	300	1	300	\$519
Request for tags (\$1.20 x total number of items (tags))	300	160	48,000	\$0
Additional tags <sup>(6)</sup>	300	1	300	\$75
Notification of lost tags <sup>(7)</sup>	300	1	300	\$62
Attachment of Gillnet Tags	300	160	48,000	\$0

### Lobster Area 5 Waivers

The cost to the Federal Government associated with lobster waiver requests and request for tags are estimated at 1 hour per request at a rate of \$25/hour .

	# of Entities	Items per Entity	Total # of Items	Govt. Cost
<b>Lobster Area 5 Waiver</b>	15	3	45	\$93
<b>Lobster Area Designation and Requests for Trap Tags</b>	1,900	1	1,900	\$7,925
Additional tags - assumes entire allocation isn't ordered initially <sup>(6)</sup>	950	1	950	\$3,975
Notification of lost tags and replacement of lost tags <sup>(9)</sup>	1,900	1	1,900	\$7,925

### State Quota Transfer

Assuming 2 quota transfers per year, the total annual cost to the Federal Government is \$50 at \$25/hour.

### Vessel Owner Single Letter Option

Government processing of the vessel owner single letter option form is estimated to cost \$25/hour for a total of \$25.

### Total Annual Government Cost Burden Estimated for the NE Region Permit Family of Forms

The total cost to the Government for all items included in the Permit Family of Forms is \$912,923.

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

The number of responses, burden hours, and burden costs for the requirements imposed by RIN 0648-BI77 were included in the renewal/revision package submitted to OMB in August 2019. Therefore, there are no adjustments for this rule-related revision. However, these line items are identified in the change table below for reference.

Total # of Annual Responses	Total # of Burden Hours	Total Annual Miscellaneous Costs

Information Collection	Current Renewal	Current Renewal	Current Renewal	Reason for Change or Adjustment
VMS Satellite Operation Plan	12,000	0	\$600,000	No change.
Surfclam/Ocean Quahog	788,400	0	\$47,304	Agency re-evaluation of fishery participation from previous collection renewal. More precise participation is now known. Public cost increase of \$8,639 due to increased polling when fishing in designated exemption areas for Surfclam/ Ocean Quahog. Burden hours unchanged.
Herring	219,000	0	\$13,140	
Atlantic Mackerel	578,160	0	\$34,690	
Longfin/Illex Squid	1,664,400	0	\$99,864	
Multispecies	2,190,000	0	\$131,400	
Monkfish	613,200	0	\$36,792	
Declared Out of Fishery (non-vms species)	4,380,000	0	\$262,800	
GSC HMA Clam / Mussel Dredge Exemption Areas	33	3	\$18	New Requirement pursuant to RIN 0648-BI77. Increased number of responses from implementation of new Exemption/LOA. Burden hours and cost increased accordingly.

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

Results from this collection may be used in scientific, management, technical, or general informational publications such as Fisheries of the United States, which follows prescribed statistical tabulations and summary table formats. Data are available to the general public on request in summary form only. Data are available to NMFS employees in detailed form on a need-to-know basis only.

**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.**

The expiration date will appear on all required forms.

**18. Explain each exception to the certification statement.**

There are no exceptions for compliance with provisions in the certification statement.