

**JUSTIFICATION FOR CHANGE**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Alaska License Limitation Program for Groundfish, Crab, and Scallops**  
**OMB Control No. 0648-0334**

**RIN 0648-BK76**

The National Marine Fisheries Service (NMFS), Alaska Region, requests to change this information collection due to the associated rule (RIN 0648-BK76) to remove pot gear tag requirements in the sablefish Individual Fishing Quota (IFQ) fishery in the Gulf of Alaska (GOA) and remove requirements to obtain and submit a notary certification on application forms submitted under the halibut and sablefish IFQ Program, Charter Halibut Limited Access Program, Community Quota Entity (CQE) Program, License Limitation Program (LLP), and the Crab Rationalization Program. This action removes recordkeeping and reporting requirements that are no longer necessary and is intended to reduce administrative burden on the regulated fishing industry and NMFS. NMFS proposes to remove the notary certification from one form in this collection. OMB/OIRA has authorized this change request.

The rule also affects information collection requirements approved under OMB Control Numbers 0648-0272 (Alaska Pacific Halibut and Sablefish Fisheries: IFQ); -0353 (Alaska Region Gear Identification Requirements); -0514 (Alaska Region Crab Permits); -0575 (Alaska Pacific Halibut Fisheries: Charter); and -0665 (Alaska CQE Program). Concurrent with this request to change 0648-0334, NMFS is submitting separate requests for these collections.

This information collection contains requirements for transfer of LLP licenses for the commercial groundfish, crab, and scallop fisheries. The intended effect of the LLP is to limit the number of participants and reduce fishing capacity in fisheries in the Exclusive Economic Zone off Alaska. This information collection is required to manage commercial crab, groundfish, and scallop fishing under the [Magnuson-Stevens Fishery Conservation and Management Act](#) (16 U.S.C. 1801 *et seq.*; Magnuson-Stevens Act), and at 50 CFR parts 679 and 680. This information collection is necessary to determine whether a transfer is eligible and endorsements meet regulatory requirements for licensing and permits. An essential feature of the LLP is the ability for participants to transfer their LLP license. Without the ability to track the movement of LLP licenses, NMFS would be unable to effectively manage the LLP.

**Reason for Changing this Collection**

In April 2021, the Council requested NMFS propose regulations to remove the requirement to obtain a notary certification on IFQ Program transfer applications, as well as to remove the requirements for sablefish IFQ fishermen using longline pot gear in the GOA to annually register their vessel to participate in this fishery and obtain and mark their gear with pot gear tags. This rule (RIN 0648-BK76) would modify recordkeeping and reporting requirements to remove pot gear tag requirements in the sablefish IFQ fishery in the GOA and remove requirements to obtain and submit a notary certification on application forms submitted under the halibut and sablefish IFQ Program, Charter Halibut Limited Access Program, CQE Program, LLP, and the Crab Rationalization Program.

The primary purpose for requiring a notary certification was to prevent fraud and forgery by requiring the personal presence of the signer and satisfactorily identifying the signer. The Council determined, and NMFS agrees, that this requirement is unnecessary and administratively burdensome on the fleet and NMFS alike.

All application forms submitted to NMFS would continue to include a certification attesting to agreement with a statement that the information submitted on the application form is true, correct, and complete. This certification is sufficient to deter fraud and forgery, and to adequately enforce fraud and forgery should it occur. In addition, NMFS has identified that the requirement for notary certification is not consistently applied on all applications forms used by NMFS, and fraud and forgery have not been identified as significant concerns. This rule would remove a requirement that is not necessary to enforce or deter fraud and forgery and is consistent with other application forms that NMFS administers.

Removing the notary requirement would streamline the application process, reduce the cost of submitting application forms to NMFS, and reduce the handling time necessary for NMFS to process and approve application forms. Without the notary requirement, there would be additional flexibility for applicants to sign and then electronically submit their applications to NMFS.

### **Change to the Application for Transfer License Limitation Program Groundfish/Crab License**

This rule removes the requirement for notary certification on a groundfish or crab LLP transfer application at [§ 679.4\(k\)\(7\)\(iii\)](#). As a result, the Application for Transfer License Limitation Program Groundfish/Crab License is revised to remove the notary certification requirement.

The form for the Application for Transfer License Limitation Program Groundfish/Crab License is revised to remove the fields for the notary's signature, date commission expires, and stamp or seal. This form may now be submitted to NMFS by fax, and instructions on fax submittal have been added to the form. Fax submittal was previously not accepted because of the notary requirements.

Removing the notary certification decreases the cost of submitting this application to NMFS by removing the fee for a notary's service. A notary certification was required for both the transferor and transferee. NMFS had estimated the cost of a notary fee at \$10. Subject to public comment, no change is made to the estimated reporting burden for this application as the estimate allows for differences in the time needed to complete and submit the application. The table below shows the change in total miscellaneous costs of this application from the previous approval of this collection, due to this rule.

Information Collection	Miscellaneous Costs	
	Current	Previous
Application for Transfer License Limitation Program Groundfish/Crab License	510	1,530
<b>Total for Collection</b>	<b>\$1,025</b>	<b>\$2,045</b>
<b>Difference</b>	<b>- \$1,020</b>	

**Submission with Proposed Rule and Solicitation of Comments**

A proposed rule (RIN 0648-BK76) soliciting public comments will be published coincident with this submission.