

JUSTIFICATION FOR CHANGE
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Alaska Region Pacific Halibut Fisheries: Charter
OMB Control No. 0648-0575

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); -0334 (Alaska LLP for Groundfish, Crab, and Scallops); -0353 (Alaska Region Gear Identification Requirements); -0514 (Alaska Region Crab Permits); and -0665 (Alaska CQE Program). Concurrent with this request to change 0648-0575, NMFS is submitting separate requests for these collections.

This information collection contains logbook reporting, landing reports, applications for permits and transfers, and administrative appeals for the Pacific halibut charter fishery off Alaska. NMFS manages the charter halibut fishery off Alaska under the Charter Halibut Limited Access Program (CHLAP) and the Pacific Halibut Catch Sharing Plan (CSP). NMFS implemented the CHLAP to meet allocation objectives in the charter halibut fishery and provide stability in this fishery by limiting the number of charter vessels that operate in International Pacific Halibut Commission regulatory areas 2C (Southeast Alaska) and 3A (Central Gulf of Alaska). NMFS implemented the CSP for the commercial and charter halibut fisheries in Areas 2C and 3A to maintain stability, economic viability, and diversity of halibut user groups by addressing allocation conflicts between participants in the commercial and charter halibut fisheries. This collection of information is necessary for NMFS to manage and administer the charter halibut fishery under the CHLAP and the CSP. A limited access program with catch share elements provides stability and increases net benefits from the fishery, but does require additional administration to ensure compliance.

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 of Charter Halibut Permit (CHP)

This rule removes the requirement for notary certification on a groundfish or crab LLP transfer application at [§ 300.67\(i\)\(4\)](#). As a result, the Application for Transfer of Charter Halibut Permit (CHP) is revised to remove the notary certification requirement.

The form for the Application for Transfer of Charter Halibut Permit (CHP) 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 of Charter Halibut Permit (CHP)	500	1,500
Total for Collection	\$84,090	\$85,090
Difference	- \$1,000	

Submission with Proposed Rule and Solicitation of Comments

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