

JUSTIFICATION FOR CHANGE
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Alaska Region Crab Permits
OMB Control No. 0648-0514

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. This action is intended to reduce administrative burden and costs on the regulated fishing industry and NMFS. NMFS proposes to remove the notary certification from five forms 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); -0575 (Alaska Pacific Halibut Fisheries: Charter); and -0665 (Alaska CQE Program). Concurrent with this request to change 0648-0514, NMFS is submitting separate requests for these collections.

This information collection contains the permits for the Bering Sea and Aleutian Islands Crab Rationalization Program (CR Program). The CR Program is a catch share program for nine BSAI crab fisheries that allocated those resources among harvesters, processors, and coastal communities. The North Pacific Fishery Management Council developed the Program to accommodate the specific dynamics and needs of the BSAI crab fisheries. The CR Program is a limited access system that balances the interests of stakeholders who depend on these fisheries. It addresses conservation and management issues associated with the previous derby fishery, reduces bycatch and associated discard mortality, and increases the safety of crab fishermen by ending the race for fish. The annual issuance of CR Program fishery allocations to achieve these goals necessitates this information collection, which is authorized under the [Magnuson-Stevens Fishery Conservation and Management Act](#) (16 U.S.C. 1801 *et seq.*) and Federal regulations at [50 CFR part 680](#).

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.

Changes to the Applications in this Collection

The following table shows the forms and regulations that will be changed by this rule.

Form	Notary Certification on Form?	Notary Certification Required in Regulation at 50 CFR—
Application for Transfer of Crab Processor Quota Share (PQS)	Yes	680.41(i)(2)
Application for Transfer of Crab Quota Share (QS)	Yes	680.41(i)(2)
Application to Become An Eligible Crab Community Organization (ECCO)	Yes	680.41(j)(2)(i)(C)
Application for Transfer of Crab QS/IFQ to or from an Eligible Crab Community Organization (ECCO)	Yes	680.41(k)(3)(ix)
BSAI Crab Rationalization Program Quota Share (QS) Beneficiary Designation Form	Yes	none
Application for CR Program Eligibility to Receive QS/PQS or IFQ/IPQ by Transfer	No	680.41(c)(2)(ii)(F)(2)

The notary certification requirements will be removed from the regulations listed in this table.

Five of the six forms listed in this table are being changed in this information collection. The Application for CR Program Eligibility to Receive QS/PQS or IFQ/IPQ by Transfer, does not

have the notary requirements on the form; therefore, no changes are made to the form or to the burden for this form.

The BSAI Crab Rationalization Program Quota Share (QS) Beneficiary Designation Form requires an applicant to obtain and submit a notary certification. This requirement is not included in regulations and will be removed from the form.

The fields for the notary’s signature, date commission expires, and stamp or seal will be removed from the five forms. These forms may now be submitted to NMFS by fax, and instructions on fax submittal have been added to the forms. Fax submittal was previously not accepted because of the notary requirements.

Removing the notary certification decreases the cost of submitting these applications to NMFS by removing the fee for a notary’s service. For the three transfer forms, 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 burdens for these applications as the estimates allow for differences in the time needed to complete and submit the applications. The table below shows the change in total miscellaneous costs of these applications from the previous approval of this collection, due to this rule.

Information Collection	Miscellaneous Costs	
	Current	Previous
Application for Transfer of Crab Quota Share (QS)	1,020	3,060
Application for Transfer of Crab Processor Quota Share (PQS)	500	1,500
Application to Become an Eligible Crab Community Organization (ECCO)	5	15
Application for Transfer of Crab QS/IFQ to or from an Eligible Crab Community Organization (ECCO)	10	30
BSAI Crab Rationalization Program Quota Share (QS) Beneficiary Designation Form	20	60
Total for Collection	\$11,430	\$14,540
Difference	- \$3,110	

Submission with Proposed Rule and Solicitation of Comments

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