



UNITED STATES DEPARTMENT OF COMMERCE  
 National Oceanic and Atmospheric Administration  
 National Marine Fisheries Service (NMFS)  
 West Coast Region, Long Beach Fisheries Permits Office  
 501 W Ocean Blvd., Suite 4200  
 Long Beach, CA 90802  
 wcr-permits@noaa.gov (562)980-4238

OMB Control No. 0648-0204  
 Expires XX/XX/20XX

**Permit Fee: \$101**

## Initial Federal Limited Entry Deep-Set Buoy Gear Permit Qualification Application

Please apply online directly at <http://fisheriespermits.noaa.gov>

### SECTION A- TIER SELECTION

TIER I    TIER II    TIER III    TIER IV    TIER V    TIER VI    TIER VII    TIER VIII

A detailed description of the Eight Tiers can be found in the Instructions section of this form.

### SECTION B- PERMIT APPLICANT INFORMATION

Permit Applicant Name <i>((First, Last, MI) or Business Name**)</i>		USCG Doc or State Registration Number
Vessel Name <i>(if unidentified, leave blank)</i>		Tax Identification Number <i>(if business)</i>
Street or PO Box		Date of Birth <i>(if individual)</i>
City, State		Zip Code
Phone <i>(required)</i>	Alternate Phone <i>(optional)</i>	Fax <i>(optional)</i>
Email <i>(required)</i>		

\*\*If permit applicant is a corporation, partnership or other business entity, fill out the Federal Limited Entry Deep-Set Buoy Gear Permit Identification of Ownership Interest Application Form identifying all shareholders and partners, which can be found on the National Permits System (NPS) website (<http://fisheriespermits.noaa.gov>).

### SECTION C- VESSEL OWNER INFORMATION

Current Vessel Owner Name <i>((First, Last, MI) or Business Name)</i>		Tax Identification Number <i>(if business)</i>
Street or PO Box		Date of Birth <i>(if individual)</i>
City, State		Zip Code
Phone <i>(required)</i>	Alternate Phone <i>(optional)</i>	Fax <i>(optional)</i>
Email <i>(required)</i>		

### SECTION D- SIGNATURE OF PERMIT APPLICANT

Under penalties of perjury, I hereby declare that I, the undersigned, am authorized to complete and certify this application on behalf of the permit applicant, and the information contained herein is true, correct, and complete to the best of my knowledge and belief.

Printed Name	Signature	Date
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# INSTRUCTIONS

**General-** A Federal Limited Entry Deep-Set Buoy Gear Permit is required for individuals that harvest HMS species using Deep-Set Buoy Gear (DSBG) within the Southern California Bight. If this permit is held by a corporation, partnership, or other business entity, submission of a complete Federal Limited Entry Deep-Set Buoy Gear Permit Identification of Ownership Interest Application Form is required in addition to this application on the NPS website. Be sure to include contact information for all shareholders. A vessel must be registered to the Limited Entry Permit prior to fishing. If assigning a vessel during a fishing season (April 1 - March 31), the permit applicant is required to notify the permits office by completing a Federal Limited Entry Deep-Set Buoy Gear Permit Change of Vessel, Permit Holder, or Vessel Owner Application Form on the NPS website, and by uploading or submitting a copy of the current Coast Guard Vessel documentation (USCG 1270) or State Vessel Registration to [wcr-permits@noaa.gov](mailto:wcr-permits@noaa.gov). NMFS may request additional information if necessary.

A person may only hold **one** Federal Limited Entry Deep-Set Buoy Gear permit, in whole or in part, including through ownership interest in a corporation, partnership or other entity. For purposes of enforcing this limitation, partial ownership would "count" as full ownership. Permits are required to be on board and available for inspection at all times, and must be renewed annually to prevent forfeiture. Vessels that are fishing under the authority of a Federal Limited Entry Deep-Set Buoy Gear Permit are also required to have an active Highly Migratory Species Permit registered to that vessel. To apply for a Highly Migratory Species Permit, please visit this link: <http://fisheriespermits.noaa.gov>

NMFS will evaluate complete Tier 1-8 applications based on the applicant's eligibility to own a permit, compliance with ownership limitations, and whether the applicant meets the criteria for one of the qualification Tiers 1-8, which has been laid out by the Pacific Fishery Management Council. Applications for Tier 9 will be assessed at later date.

## **SECTION A - TIER SELECTION:**

Individuals who apply for a Federal limited entry DSBG permit will be categorized using the following tiers:

- I. Experimental Fishery Permit (EFP) holders, with at least 10 calendar days of DSBG fishing effort documented by the West Coast Observer Program prior to December 31, 2018. Documentation shall consist of a West Coast Observer Program record indicating either:
  - the EFP holder as vessel captain for that fishing day; or
  - fishing effort for that day conducted on a vessel owned by or under the EFP managed by that individual.
- II. California Drift Gillnet (DGN) Shark and Swordfish permit holders who made at least one large mesh DGN swordfish landing between the 2013-2014 and 2017-2018 fishing seasons and surrendered their state or federal DGN permit as part of a DGN permit trade-in or buy-back program.
- III. EFP holders approved by the Council prior to April 1, 2021 who conducted at least 10 calendar days of DSBG fishing effort or with 10 days of DSBG effort on their vessel or by vessels they manage under the EFP by the effective date of the Final Rule authorizing DSBG. Documentation shall consist of a NMFS West Coast Observer Program record or a properly submitted NMFS DSBG logbook indicating either:
  - the EFP holder as vessel captain for that fishing day; or
  - fishing effort for that day was conducted on a vessel owned by or under the EFP managed by that individual.
- IV. California General Swordfish permit holders who possessed a permit during the 2018-2019 fishing season and made at least one swordfish landing using harpoon gear between the 2013-2014 and 2017-2018 fishing seasons.
- V. California DGN Shark and Swordfish permit holders who have made at least one large-mesh DGN swordfish landing between the 2013-2014 and 2017-2018 fishing seasons and who did not surrendered their state or federal DGN permit as part of a trade-in or buy-back program.
- VI. California DGN Shark and Swordfish permit holders who have not made a swordfish landing with large-mesh DGN gear since March 31, 2013 and who surrendered their state or federal DGN permit as part of a permit trade-in or buy-back program.
- VII. State or Federal DGN Limited Entry permit holders who have not made a swordfish landing with DGN gear since March 31, 2013 and did not surrender their Federal Limited Entry Deep-Set Buoy Gear Permit as part of a state or Federal DGN permit trade-in or buy-back program.
- VIII. Any individual with documented commercial swordfish fishing experience between January 1, 1986 and the effective date of the final rule. The basis for documenting commercial swordfish fishing experience attributable to the applicant will be possession of a commercial fishing license on that date and either:
  - A valid California Department of Fish and Wildlife fish landing receipt identifying the individual as the fisherman of  
or
  - A valid state or federal logbook where swordfish were taken and identifying the individual as captain or crew on that day; or
  - A signed affidavit from a vessel owner or captain identifying the individual as vessel captain or crew on the day that swordfish were taken

**Note: If you disagree with your preselected tier, please select the box signifying you disagree, and then select the new tier for which you want to apply. Please also upload the supporting documentation.**

**SECTION B - PERMIT APPLICANT INFORMATION:** Please provide the permit applicant's contact information and the vessel information that will be assigned to this permit. In addition, provide the permit applicant's name and date of birth (DOB) or Tax Identification Number (TIN), if the permit applicant is an entity.

**SECTION C - VESSEL OWNER INFORMATION:** Please provide the vessel managing owner's name, address, phone number, and TIN (if business) or DOB (if individual). If no vessel is assigned, indicate "unidentified" for vessel owner's name.

**SECTION D - SIGNATURE OF PERMIT APPLICANT:** Either the current permit applicant or an authorized representative of the permit applicant must sign and date the form. By signing and dating the application, the applicant certifies that they are authorized to sign this form and that all information set forth in the application is true, correct, and complete to the best of the applicant's knowledge and belief. The application will not be considered without this signature.

**WARNING STATEMENT** - A false statement on this form is punishable by permit sanctions (revocation, suspension, or modification) under 15 CFR 904, a civil penalty of up to \$100,000 under 16 USC 1858, and as a federal crime under 18 USC 1001.

**PAPERWORK REDUCTION ACT** - A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with an information collection subject to the requirements of the Paperwork Reduction Act of 1995 unless the information collection has a currently valid OMB Control Number. The approved OMB Control Number for this information collection is 0648-0204. Without this approval, we could not conduct this information collection. Public reporting for this information collection is estimated to be approximately 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. Some of the information collection described above is confidential under section 402(b) of the Magnuson-Stevens Act. It is also confidential under NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics. Phone number, fax and email information and TIN are not released to the public. All responses to this information collection are mandatory/required to obtain benefits pursuant to 50 CFR 660. Send comments regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing this burden to the National Marine Fisheries Service at: 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802, Attn: Permits Office, wcr-permits@noaa.gov

#### **PRIVACY ACT STATEMENT -**

**Authority:** The collection of this information is authorized under the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C 1801 et seq., the High Seas Fishing Compliance Act, the Tuna Conventions Act of 1950, the Antarctic Marine Living Resources Convention Act, the Western and Central Pacific Fisheries Convention Implementation Act (WCPFCIA; 16 U.S.C. 6901 et seq), the Marine Mammal Protection Act, the Endangered Species Act and the Fur Seal Act. The authority for the mandatory collection of the Tax Identification Number (TIN) is 31 U.S.C. 7701. Your date of birth and TIN are confidential and protected under the Privacy Act. Provision of your date of birth and TIN is mandatory as part of this collection. The primary purpose for requiring the date of birth is to verify the identity of individuals/entities doing business with the government to provide a unique identification for assistance to comply with the Debt Collection Improvement Act of 1996 (Public Law 104-134) and for enforcement activities.

**Purpose:** In order to manage U.S. fisheries, the NOAA National Marine Fisheries Service (NMFS) requires the use of permits or registrations by participants in the United States. Information on NOAA Fisheries permit applicants and renewing holders includes vessel owner contact information, date of birth, TIN and vessel descriptive information. Permit applicant information may be used as sampling frames for surveys, as part of Fishery Management Council (FMC) analysis to support FMC decisions.

**Routine Uses:** The Department will use this information to determine permit eligibility and to identify fishery participants. Disclosure of this information is permitted under the Privacy Act of 1974 (5 U.S.C. Section 552a), to be shared within NMFS offices, in order to coordinate monitoring and management of sustainability of fisheries and protected resources, as well as with the applicable State or Regional Marine Fisheries Commissions and International Organizations. Disclosure of this information is also subject to all of the published routine uses as identified in the Privacy Act System of Records Notice [COMMERCE/NOAA-19](#), Permits and Registrations for the United States Federally Regulated Fisheries.

**Disclosure:** Furnishing this information is voluntary; however, failure to provide complete and accurate information will prevent the determination of eligibility for a permit.

**This information collected is part of a Privacy Act System of Records, COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries. An amended notice was published in the Federal Register on August 7, 2015 (80 FR 47457) and became effective on September 15, 2015 (80 FR 55327).**