

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Madeleine Clayton 06/13/2001  
Departmental Forms Clearance Officer  
Office of the Chief Information Officer  
14th and Constitution Ave. NW.  
Room 6086  
Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a new information collection received on 03/30/2001.

TITLE: Tilefish Permit Requirements

AGENCY FORM NUMBER(S): None

ACTION : APPROVED  
OMB NO.: 0648-0434  
EXPIRATION DATE: 06/30/2004

BURDEN	RESPONSES	BURDEN HOURS	BURDEN COSTS
Previous	0	0	0
New	507	296	0
Difference	507	296	0
Program Change		296	0
Adjustment		0	0

TERMS OF CLEARANCE: None

NOTE: The agency is required to display the OMB control number and inform respondents of its legal significance (see 5 CFR 1320.5(b)).

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OMB Authorizing Official	Title
Donald R. Arbuckle	Deputy Administrator, Office of Information and Regulatory Affairs

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# PAPERWORK REDUCTION ACT SUBMISSION

**Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) ( <i>if applicable</i> )	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	
10. Abstract	
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

**NOTE:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

## **Supporting Statement for Tilefish FMP Permit Family of Forms**

### **INTRODUCTION**

This submission requests Office of Management and Budget (OMB) revision for vessel permit requirements proposed in the Tilefish Fishery Management Plan (FMP). National Oceanic and Atmospheric Administration (NOAA) intends for this requirement to eventually be part of the "Northeast Region Federal Fisheries Permit Family of Forms" (OMB Control No. 0648-0202), but has had to submit it as a new requirement because another revision to 0648-0202 is currently being reviewed by OMB. If approved, this requirement will later be merged with 0648-0202 when circumstances allow.

The purpose of the proposed action is to initiate the management of golden tilefish (*Lopholatilus chamaeleonticeps*) pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) of 1976, as amended by the Sustainable Fisheries Act (SFA). The lack of any regulations pertaining to the harvest of golden tilefish in the management unit led the Mid-Atlantic Fishery Management Council (Council) to develop a management plan for the species.

Results from the recently completed National Marine Fisheries Service (NMFS) Northeast Fishery Science Center stock assessment indicate that the tilefish stock (north of North Carolina) is at a low biomass level and is over exploited (Nitschke *et al.* 1999). Total biomass in 1998 was estimated to be 6.8 million pounds, which is about 35% of the biomass that would produce maximum sustainable yield ( $B_{MSY}$ ). Biomass-based fishing mortality was estimated to be 0.45, which is about double the  $F_{MSY}$  of 0.22. Total landings in 1998 were 2.7 million pounds and significantly less than the estimated MSY (4.2 million pounds). Landings are somewhat seasonal, but do occur throughout the year. Current fishing mortality rates are unsustainable. There has been a shift in the exploitation pattern towards smaller fish. The SFA requires that a management program be developed immediately for this species and that targets and thresholds for stock size and fishing mortality be established.

Given the overfished nature of the tilefish, a comprehensive system which accounts for all landings is necessary to control fishing mortality. Permits issued to all entities which harvest, buy, or sell tilefish, provide the foundation of this accounting system, as well as a strong tool for enforcement since permits can be revoked for violations of the regulations.

### **A. JUSTIFICATION**

#### **1. Why is the information necessary?**

Under the MSFCMA, the Secretary of Commerce (Secretary) has responsibility for the conservation and management of marine fishery resources. Much of this responsibility has been delegated to

NOAA. Under this stewardship role, the Secretary was given certain regulatory authorities to ensure the most beneficial uses of these resources. One of the regulatory steps taken to carry out the conservation and management objectives is the requirement of a permit for users of the resources. Thus, as Regional Fishery Management Councils develop specific fishery management plans, the Secretary has promulgated rules for the issuance of federal fisheries permits.

The Tilefish FMP institutes: permit and reporting requirements for commercial vessels, operators, and dealers; the establishment of a Tilefish FMP Monitoring Committee; the implementation of a framework adjustment process; a ten year stock rebuilding schedule; a commercial quota divided into full-time (with two different tiers), part-time, and incidental categories; a trip limit for the incidental category; limited entry for the full-time (both tiers) and part-time quota categories, and identification and description of essential fish habitat.

The issuance of permits is an essential ingredient in the management of fishery resources, as recognized in Section 303(b)(1) of the MSFCMA. Nearly all international, Federal, state and local fishery management authorities recognize the value and use of permits as part an overall management strategy. The purpose and use of permits is to: (1) register fishermen, 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 issuance pending collection of unpaid penalties), (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. 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 and dealers 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.

Conservation measures proposed in the FMP would be undercut if fishing effort increases therefore, commercial vessel permits are necessary to more clearly assess the degree to which capitalization and fishing power of the fleet needs to be regulated. The information required in applications for initial vessel permits, namely length, tonnage, and engine horsepower, are important measures of effort. Virtually every other Federal FMP currently in effect in the Northeast region of the U.S. requires that the vessel be licensed. The degree of capitalization of the commercial fishery cannot be determined without vessel permitting. If the vessels are licensed, fishing effort including fleet size, can be evaluated.

The operator permit is important for law enforcement. It provides for operators to be held accountable for actions which otherwise would be the responsibility of vessel owners in total. It reduces the likelihood that an operator would act illegally at the behest of an owner and also, protects the owner from unscrupulous operators, who may violate laws without the owner's knowledge. There is only one operator permit issued by NMFS which is transferable between all regulated fisheries.

The dealer permit application is the same as required in virtually every Northeast fishery regulated under the MSFCMA. Permitting dealers allows NMFS to extract important economic information via the reporting system that is in place. The Tilefish FMP would require federally permitted vessels to sell only to federally permitted dealers. Thus, allowing for cross-checking of landings data via required reports.

Confirmation of permit history, replacements, upgrades and vessel appeals found under § 648.4, are the same as for other fisheries already cleared under OMB Control No. 0648-0202. Section 648.4 (E) and (F) deal with vessel replacements and upgrades, while § 648.4(J) identifies the requirements for confirmation of permit history, and § 648.4(M) lays out the appeal process for the denial of a limited access permit. These are all issues that have been dealt with extensively by the Northeast Regional Office (NERO) of NMFS for numerous fisheries managed by the New England and Mid-Atlantic Fishery Management Councils.

## **2. How, by whom, how frequently, and for what purpose will the information be used?**

The information requested on the permit application forms will be used by several offices of NMFS, the U.S. Coast Guard, the Mid-Atlantic Fishery Management Council, state fishery agencies, academic institutions, and other fishery research and management organizations to evaluate the management program and future management proposals. In most cases, aggregated summaries are made available, but for law enforcement, mailings, or resource allocation problems, individual permit information is often required.

The information required when applying for an operator permit is critical for the purpose of easy identification of operators. Operator permits are not transferable. Permit holders would be required to carry their operator permit aboard the fishing vessel during fishing and offloading operations, and must have it available for inspection upon request by an authorized officer.

Dealer information is also used by enforcement officers to check for regulatory infractions, and by NOAA scientists and economists as a basis for data sampling. The dealer permit requirement ensures complete reporting from the fishery and the reports provide important information on the volume, value, and distribution of first purchase. Lists of permitted dealers also aid enforcement in surveillance activities

Mailing lists derived from the applications provide NMFS with the assurance of reaching all concerned constituents with notices of fishery closures, regulatory changes and other critical information. The existence of the vessel operator permits will enable 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.

In addition to the uses specifically relating to tilefish management, the information collected through these applications will be incorporated into NMFS' databases which are used in many analyses by NMFS, the Council, the states, the Departments of State and Commerce, OMB, the Corps of Engineers, Congressional staffs, the fishing industry and the public.

### **3. Can improved technology reduce the burden?**

After the initial permit issuance, permit renewal has been made as simple as possible 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 to the information required on the permit, renewal requires nothing more than a signature from the applicant. This feature minimizes the reporting burden on the public as well as the administrative burden on the agency.

Every effort is being made to use computer technology to reduce the public burden. The NERO has placed all applications and reporting forms on the Internet. In addition, the NERO is reviewing the electronic submission of permit applications as part of its Government Paperwork Elimination Act review.

### **4. Describe any duplication of effort.**

The MSFCMA's operational guidelines require each FMP to evaluate existing state and Federal laws that govern the fisheries in question, and the findings are made part of each FMP. Under the MSFCMA, the Secretary has the responsibility for the conservation and management of marine fishery resources, much of which has been delegated to NOAA/NMFS. Under this stewardship role, the Secretary was given certain regulatory authorities to ensure the most beneficial uses of these resources. One of the regulatory steps taken to carry out the conservation and management objectives is to collect data from users of the resource. Therefore, NMFS is confident that it is aware of similar collections if they exist.

### **5. How are impacts on small businesses minimized?**

Since most of the respondents are considered small businesses, separate requirements based on size of business have not been developed. Only the minimum data are requested.

### **6. Could the collection be conducted less frequently?**

A standard, annual permit renewal will be required for vessel and dealer permits. Since vessel entry into and exit from a fishery is common, annual permits allow NMFS to use the most accurate information available for enforcement and to measure the effects of fishing on living resources. As more fisheries undergo moratoria however, and such latitude is increasingly restricted, other options are being



considered. Initial operator permits are issued randomly from 1 to 3 years, after which all renewals are good for three years in order to ease the burden on the public and the government. Pending a review of the accuracy of the database with a three-year renewal cycle, operator permits may be moved to a five-year cycle to further reduce the burden on both the public and government.

**7. Explain if request is inconsistent with OMB guidelines.**

The data collection is consistent with OMB guidelines.

**8. Describe efforts to get comments from outside the agency.**

Public hearings were held on all of the proposed regulations in the FMP in various tilefish producing regions. Hearings were held in: Riverhead, NY, Atlantic City, NJ, and Warwick, Rhode Island. Public agencies consulted included: NOAA/NMFS, U.S. Fish and Wildlife Service, and fisheries agencies in all the Northeast coastal states from Maine through Virginia.

Interested parties were provided the opportunity to submit written comments at the public hearings and the proposed rule will include a comment period once submitted.

As described in the response to item 4, consultation with potential applicants is assured by the FMP regulatory process. Experience with existing programs provides a continual feedback mechanism to NMFS on issues and concerns of the applicants. There are no major problems that have not been resolved.

**9. Describe any payment or gifts to respondents.**

Neither payments nor gifts are given to the respondents.

**10. Describe any assurances of confidentiality.**

Data is not confidential.

**11. Provide justification for any questions of a sensitive nature.**

There are no questions of a sensitive nature.

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

The following information is summarized in Table 1. The estimated burden associated with the permit requirements, confirmation of permit history, replacements/ upgrades and vessel permit appeals is estimated to be 287 hours.

Regulatory changes contained in this action are new to this family of forms. Consequently, these changes alter previously approved burden estimates for these same programs. This submission is an estimate of the burdens associated with the new programs, which could then be added to the previously approved estimates. New numbers reflect estimates for the tilefish fishery only. Previously approved estimates for other species (e.g., summer flounder) are thus not affected.

There are 312 vessels which have landed at least one pound of tilefish since 1988. Of these vessels, 85 do not have a federal fishing permit. Under this FMP, any owner of a vessel desiring to fish commercially for tilefish in the EEZ must obtain a federal vessel/owner tilefish permit. Assuming that everyone of these vessels would be eligible for a tilefish permit and that they would all apply, this would mean that 312 vessels would initially apply. Eighty-five individuals would need the new federal operators permit.

Individuals that participate strictly in the tilefish fishery and are filling out permit applications for the first time will be required to complete all the information on the initial vessel permit form. An initial application is expected to take 0.5 hours to complete. All 312 vessels would have to apply for the initial permit, resulting in 156 burden hours.

Vessel permits will need to be renewed on a yearly basis. It is estimated that the 85 individuals that have not previously possessed a Federal permit will be required to renew the tilefish permit annually by submitting a permit renewal application, provided to individuals by NMFS. Permit renewal will consist of signing and mailing the application back to NMFS. This requirement is minor and is estimated to take 15 minutes to complete. The renewal process for individuals that already have a Federal permit will not take longer than it does currently. Therefore, after the first year the total burden hours for renewing the tilefish permit for the 85 individuals that did not previously possess a Federal permit is estimated to be 21 burden hours.

It is expected that there will be approximately 10 new applicants for dealer permits. The time required to complete a dealer application is 0.083 hours, which would result in less than an hour of time.

Throughout the development of the FMP, efforts were made to incorporate industry extensively. There is however a likelihood that a few vessels will have to apply for a confirmation of permit history and a few vessels may actually appeal their permit classification. It is estimated that at most five vessels may be required to apply for a confirmation of permit history and another five vessels may appeal their permit classification. The estimated response time is three hours for appealing a permit and 0.5 hours to apply for a confirmation of permit history. The total public cost of appealing a vessel's permit classification would be 225 dollars (based on 15 dollars/hour respondent wage and overhead) and 15 burden hours. The public cost to apply for a confirmation of permit history would be 38 dollars and 2.5 burden hours.

Vessels may need to be replaced or upgraded under this FMP. With very few individuals involved in this fishery, it is estimated that no more than five vessels would be upgraded or replaced. The response time for the paperwork associated with this process is also three hours per item.

The total number of entities effected by this FMP for paperwork required for vessel permits, dealer permits, operator permits, confirmation of permit history, replacement/upgrades of vessels and vessel permit appeals is 407 entities.

### **13. Provide estimates of total annual cost burden to the respondents.**

Total annual costs for the various permits and vessel identification are summarized in Table 1. These costs include a postage fee of 34 cents per application.

For the most part, this information collection does not require respondents to purchase new or additional equipment or services. Most computers, telephones and/or facsimile machines utilized by the respondents would have already been purchased as part of customary and usual business practices.

### **14. Provide estimates of annualized costs to the federal government.**

Estimates of annualized cost to the federal government are summarized in the Table 1. Costs to the federal government assumes the average cost for permit issuance is \$33/permit (includes labor, printing, distribution, computer time and handling). The entire estimated cost to the government is less than ten thousand dollars (based on 33 dollars/hour).

### **15. Explain potential changes in burden.**

The submission of permits presented in this document are new to the tilefish fishery. All burden figures are based on the estimated number of vessels affected by the proposed action. The actual number of vessels may differ from these estimates.

### **16. Describe plans for any statistical use of the information.**

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. Explain reasons why the display of the OMB expiration date on the information collection is not appropriate.**

All forms will display the OMB control number and expiration date along with information relevant to the Paper Work Reduction Act of 1995.

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

All instances of this submission comply with 5 CFR 1320.9.

**B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

No statistical methods are employed in the information collection procedures. The requirements are mandatory for all participants in the indicated fisheries.

**Table 1.** Calculation of Public and Federal Estimate of Reporting Burden Hours and Costs.

Permit Requirement	Number of Entities	Items/ Entity	Total Number of Items	Response Time (Hours)	Total Burden (Hours)	Cost (\$) to Government	Cost (\$) to Public
Vessel Permit (initial)	312	1	312	0.5	156	5,148	107
Vessel Permit (renewal)	85	1	85	0.25	21	693	29
Dealer Permit	10	1	10	0.083	1	33	4
Operator Permit	85	1	85	1.00	85	2,805	29
Confirmation of Permit History	5	1	5	0.5	2.5	83	2
Replacements and Upgrades	5	1	5	3.00	15	495	2
Vessel Permit Appeals	5	1	5	3.00	15	495	2
Totals	407		507		296	9,752	175



## VESSEL INITIAL APPLICATION - FEDERAL FISHERIES PERMIT INSTRUCTIONS

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In Sections 1 and 2, fill in ALL items.

Mail the completed application to: National Marine Fisheries Service, Permit Office, On Blackburn Drive, Gloucester, MA 01930-2298. **No walk-in service is available.** There is a 30 day processing period, and you should receive your permit within this time limit. **Questions? (978)281-9278.**

### SECTION 1: VESSEL/OWNER INFORMATION

Enter information in the spaces provided.

Vessel Name: Current name of vessel or enter "unnamed" if not applicable.

Owner Name: If corporation or partnership, submit current documentation from the State of Incorporation verifying corporate status or Partnership Agreement. (See Section 4 for additional documents required).

Address and Telephone Number: Include new 4-digit addition to zip code and area code for phone number.

Coast Guard Documentation or State Registration Number: **You must provide a photocopy of vessel's current Coast Guard documentation or State registration with your application. (See Section 4 for additional documents required).**

Hailing Port: City and State of vessel mooring location.

Principal Port: City and State where the majority of your landings occur.

### SECTION 2: VESSEL INFORMATION

Complete ALL items.

Vessel length: Overall length in feet.

Crew Size: Average number of crew, including the captain.

Gross Tonnage: As recorded on US Coast Guard Documentation.

Fish Hold Capacity: Measured to the nearest 100 pounds.

Pump Horsepower: This item applies to surf clam/ocean quahog vessels only.

Construction: 1=Wood, 2=Fiberglass, 3=Steel, 4=Other.

Propulsion: 1=Gasoline, 2=Diesel, 3=Other.

Number of Passengers for Charter or Party: Number of passengers the vessel is licensed to carry. (See Section 4 for additional documents required).

### SECTION 3: FISHERY INFORMATION

Except as noted for some limited access fisheries, you may select a fishery, category or gear code by entering the information in the spaces provided. Select the fishery permit categories from the table below that best describe your fishing operations and write the number in the column marked "Category". For each fishery, select a gear code from the Gear Code table, printed at the end of this section, and write the gear code number in the column marked "Gear".

GEAR CODES (Shaded)

120	Purse Seines	330	Other Trawls	912	Rod and Reel
210	Beach Seines	410	Dredge	920	Longlines or Setlines
220	Boat Seines	700	Gill or Entangling Nets	1010	Harpoons
310	Bottom Trawls	800	Pots and Traps	1200	Other Gear
320	Mid-water Trawls	911	Hand Lines	1400	Diving Gear

***FISHERY PERMIT CATEGORIES (Shaded)***

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**NORTHEAST MULTISPECIES:**

**Regulated species** Cod, haddock, yellowtail flounder, pollock, redfish (ocean perch), winter flounder (blackback), American plaice (dab), witch flounder (grey sole), windowpane flounder (sand dab) and white hake

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**Non-Regulated species** Silver hake (whiting), red hake (ling) and ocean pout, and Atlantic halibut (vessels may land or possess on board no more than one Atlantic halibut per trip)

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*Limited Access Permits:* These permits may only be renewed by vessels that have previously held them, or to approved replacements of such vessels. Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

**A Individual DAS**

**B Fleet DAS**

**C Small Vessel Exemption: (less than or equal to 30')**

**D Hook Gear: (Vessels in this category may not change category)**

**E Combination Vessels: (Vessels in this category may not change category)**

**F Large Mesh Individual DAS: Category A (Individual DAS) or E (Combination) vessels may elect this category for the entire year. Fish for multispecies groundfish no more than 36 percent beyond the DAS allocations specified on vessel's DAS allocation for Categories A or E. Must fish either gillnet gear with a minimum size 7" diamond mesh or trawl gear with a minimum size 8" diamond mesh.**

**G Large Mesh Fleet DAS: Category B (Fleet DAS) vessel may elect this category for the entire year. Fish for multispecies groundfish using no more than 120 DAS. Must fish either gillnet gear with a minimum size 7" diamond mesh or trawl gear with a minimum size 8" diamond mesh.**

**NORTHEAST MULTISPECIES (continued)**

*Open Access Permits:* Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- H **Handgear:** Retain up to 300 lbs. combined weight of cod, haddock and yellowtail flounder, one Atlantic halibut of at least 36 inches in size, and unlimited amounts of other Northeast multispecies provided that only rod and reel or handline gear is used or possessed on the vessel while in possession of, fishing for, or landing Northeast multispecies, and provided that there is at least one standard tote on board.
- I **Charter/Party:** Fish for or retain multispecies in the EEZ when carrying passengers for hire (See Section 3 for additional information).
- J **Scallop Multispecies Possession Limit:** Retain up to 300 lbs. of regulated species while fishing under a scallop DAS. Vessel must have a Limited Access Scallop Permit to qualify for this category.
- K **Non-Regulated Multispecies:** Fish for non-regulated multispecies: silver hake (whiting), red hake (ling), ocean pout or Atlantic halibut (vessels may land or possess on board no more than one Atlantic halibut per trip, at least 36 inches).

**ATLANTIC SEA SCALLOP:**

*Open Access Permit:* Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 1 **General:** Retain or land no more than 400 lbs. of shucked scallops, or 50 US bushels of in-shell scallops, per trip.

*Limited Access Permits:* These permits may only be renewed by vessels that have previously held them, or to approved replacements of such vessels. Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 2 **Full-Time**
- 3 **Part-Time**
- 4 **Occasional**
- 5 **Full-Time - Small Dredge:** Category 3 (Part-Time) vessel may elect this category for the entire year. Fish for scallops using one dredge no larger than 10.5 ft. and a crew no larger than five.
- 6 **Part-Time - Small Dredge:** Category 4 (Occasional) vessel may elect this category for the entire year. Fish for scallops using one dredge no larger than 10.5 ft. and a crew no larger than five.
- 7 **Full-Time - Authorized to use trawl nets**
- 8 **Part-Time - Authorized to use trawl nets**
- 9 **Occasional - Authorized to use trawl nets**

**SURF CLAM/OCEAN QUAHOG**

*Open Access Permits:* Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 1 **Surfclam:** Harvest surfclams\*.
- 6 **Ocean Quahog:** Harvest ocean quahogs\*.

\* To harvest and land surfclams or ocean quahogs, an allocation of quota is required. For more information call (978) 281-9262.

*Limited Access Permit:* These permits may only be renewed by vessels that have previously held them, or to approved replacements of such vessels. Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 7 **Maine Mahogany Quahog:** Harvest ocean quahogs without an allocation in Federal waters in the area north of latitude 43° 50'N.



## AMERICAN LOBSTER

*Limited Access Permits:* These permits may only be renewed by vessels that have previously held them, or to approved replacements of such vessels. Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 1 Commercial
  - 2 Charter/Party
- 

## SUMMER FLOUNDER (FLUKE)

*Limited Access Permit:* This permit may only be renewed by vessels that have previously held one, or to approved replacements of such vessels. Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 1 Commercial Moratorium

*Open Access Permit:* Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 2 Charter/Party: Fish for or retain summer flounder in the EEZ while carrying passengers for hire (See Section 3 for additional information).
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## SCUP (PORGY)

*Limited Access Permit:* This permit may only be renewed by vessels that have previously held one, or to approved replacements of such vessels. Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 1 Scup Moratorium

*Open Access Permit:* Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 2 Charter/Party: Fish for or retain scup in the EEZ while carrying passengers for hire (See Section 3 for additional information).
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## SQUID, MACKEREL, AND BUTTERFISH

*Limited Access Permits:* This permit may only be renewed by vessels that have previously held one, or to approved replacements of such vessels. Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 1 Loligo/Butterfish Moratorium
- 5 Illex Squid Moratorium

*Open Access Permits:* Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 2 Squid/Mackerel/Butterfish Charter/Party: Fish for or retain Loligo or Illex squid, or butterfish in the EEZ while carrying passengers for hire (See Section 3 for additional information).
- 3 Squid/Butterfish Incidental Catch: Fish commercially for up to 2,500 lbs of Loligo squid or butterfish and 5,000 lbs of Illex squid per trip.
- 4 Atlantic Mackerel: Fish commercially for Atlantic mackerel in the EEZ.

## BLACK SEA BASS

*Limited Access Permit:* This permit may only be renewed by vessels that have previously held one, or to approved replacements of such vessels. Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 1 **Black Sea Bass Moratorium:** Fish commercially north of 35° 15.3' N. latitude.

*Open Access Permit:* Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 2 **Charter/Party:** Fish for or retain black sea bass north of 35° 15.3' N. latitude while carrying passengers for hire. (See Section 3 for additional information).

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## ATLANTIC BLUEFISH

*Open Access Permit:* Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 1 **Commercial:** Possess or harvest Atlantic bluefish from the EEZ in excess of the daily possession limit.
- 2 **Charter/Party:** Fish for or retain Atlantic bluefish while carrying passengers for hire. (See Section 3 for additional information).

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## SPINY DOGFISH

*Open Access Permit:* Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 1 **General:** To commercially fish for, possess, or land spiny dogfish caught in or from the EEZ.

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## MONKFISH

*Limited Access Permits:* These permits will only be issued to vessels that have applied for the permit and met the qualification criteria specified below by no later than November 7, 2000. These permits may only be renewed by vessels that have been issued a limited access monkfish permit. Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations and permit holder letters sent previously.

- A Vessels which do not possess a multispecies or scallop limited access permit and can provide proof of landing at least 50,000 pounds of tail weight or 166,000 pounds of whole weight of monkfish during the period of February 28, 1991, through February 27, 1995.
- B Vessels which do not possess a multispecies or scallop limited access permit that are less than 51 gross registered tonnage, do not qualify for a category A permit, and can provide proof of landing at least 7,500 pounds of tail weight or 24,900 pounds of whole weight of monkfish during the period of February 28, 1991, through February 27, 1995.
- C Vessels which possess a multispecies or scallop limited access permit and can provide proof of landing at least 50,000 pounds of tail weight or 166,000 pounds of whole weight of monkfish during the period of February 28, 1991, through February 27, 1995.
- D Vessels that do not qualify for a Category C permit which possess a multispecies or vessels less than 51 gross registered tonnage which possess a scallop limited access permit, and can provide proof of landing at least 7,500 pounds of tail weight or 24,900 pounds of whole weight of monkfish during the period of February 28, 1991, through February 27, 1995.

*Days-at-Sea (DAS) Allocation* - Vessels qualified for Categories A & B will be allocated 40 DAS. Vessels qualified for Categories C & D will be allocated up to 40 DAS and vessels must also be on a multispecies or scallop DAS when using a monkfish DAS.

*Open Access Permit:* This permit may be issued to any vessel not issued a monkfish limited access permit to fish for, possess, or land monkfish. Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- E** Incidental Catch - Allow a vessel to retain a limited amount of monkfish depending on fishing year, area fished and gear fished. For specific limit amounts please contact the Fisheries Information Line at (978) 281-9278.

#### ***SECTION 4: OWNER'S SIGNATURE AND RENEWAL INSTRUCTIONS***

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Please sign the form. Unsigned or otherwise incomplete applications will be returned. Your signature is an affirmation under penalty of perjury, that all the information provided in obtaining this permit is true and correct.

#### ***ADDITIONAL DOCUMENTS REQUIRED***

- 1 CERTIFICATE OF INCORPORATION, PARTNERSHIP AGREEMENT OR ANNUAL REPORTS** - If the vessel is owned by a corporation or a partnership, the following information must be submitted with the renewal form:
  - A copy of the Certificate of Incorporation must be submitted once. Each year, documents showing current corporate status and all officers and shareholders owning 25% or more of the shares in the corporation must be submitted
  - The list of corporate officers and shareholders must include their addresses (examples of acceptable documentation include Minutes from the Corporation Annual Meeting listing the names and addresses of the officers and stockholders, or a signed and dated letter from a Corporate Officer listing the names and addresses of current officers and stockholders)
  - Partnerships must submit a copy of the partnership agreement once. Each year, the names and addresses of all partners must be submitted
- 2 SCALLOP VESSELS OWNED** - If you are renewing a limited access sea scallop permit, you must attach a list of the following information for all vessels in which you have an ownership interest and that hold limited access sea scallop permits. You may use the attached form for your convenience.
  - ▶ Owner names - Not Business or Corporate Names
  - ▶ Vessel names and permit numbers
- 3 USCG DOCUMENTATION** - A copy of the vessel's current US Coast Guard Documentation or, if undocumented, current state registration.
- 4 CHARTER/PARTY PERMIT** - If you hold or are applying for a charter/party permit, you must submit a copy of the vessel's current charter/party license. A copy of one of the following documents is acceptable:
  - ▶ Current state license showing the vessel is authorized to carry charter/party passengers
  - ▶ Current Coast Guard Documentation that shows the vessel is presently documented for "Coastwise"
  - ▶ Current US Coast Guard license to operate or navigate passenger carrying vessels

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Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing & reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden to: National Marine Fisheries Service, Permit Office, 1 Blackburn Drive, Gloucester, MA 01930-2298. The Paperwork Reduction Act requires that potential respondents for a fishing vessel permit be notified of certain information regarding their rights and the burden associated with applying for Federal fisheries permits. One of the regulatory steps taken by the National Marine Fisheries Service to carry out its conservation and management objectives is the requirement of a permit for users of the resources. All the fisheries included on this application require a permit to fish for or retain these species in or from the EEZ, Section 303 (b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) specifically recognizes the need for permit issuance. The purpose and use of these permits are to: (1) register industry participants and fishing vessels, (2) list the characteristics of fishing vessels, (3) exercise influence over compliance, (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. Both the MSFCMA and Executive Orders 12866 et al. require the determination of this information. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. Any information submitted by any person to obtain a permit is not confidential, and may be disclosed upon request.

U. S. DEPARTMENT OF COMMERCE  
 NATIONAL OCEANIC & ATMOSPHERIC ADMIN  
 NATIONAL MARINE FISHERIES SERVICE  
 PERMIT OFFICE  
 ONE BLACKBURN DRIVE  
 GLOUCESTER, MA 01930-2298  
 Tel: (978) 281-9370



INITIAL VESSEL APPLICATION

FEDERAL FISHERIES PERMIT

MONTH : \_\_\_\_\_ YEAR : \_\_\_\_\_

Section 1 - VESSEL/OWNER INFORMATION

Vessel Name: \_\_\_\_\_  
 Owner Name: \_\_\_\_\_  
 Street Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Owner Telephone: \_\_\_\_\_  
 CG Documentation or State Registration Number: \_\_\_\_\_  
 Hailing Port: \_\_\_\_\_  
 Principal Port: \_\_\_\_\_

Section 2 - VESSEL INFORMATION

Vessel Length: \_\_\_\_\_ Dredge Size \_\_\_\_\_ Crew Size: \_\_\_\_\_  
 Number of Dredges: \_\_\_\_\_ Gross Tonnage: \_\_\_\_\_ Pump Horsepower: \_\_\_\_\_  
 Year Built: \_\_\_\_\_ Construction: \_\_\_\_\_ Main Engine HP: \_\_\_\_\_  
 Propulsion: \_\_\_\_\_ Fish Hold Capacity: \_\_\_\_\_  
 No. Passengers for Charter or Party: \_\_\_\_\_

Section 3 - FISHERY INFORMATION

Fishery:	Category	Gear(s)			
Spiny Dogfish	_____	_____	_____	_____	_____
N E Multispecies	_____	_____	_____	_____	_____
Sea Scallop	_____	_____	_____	_____	_____
Surfclam	_____	_____	_____	_____	_____
Ocean Quahog	_____	_____	_____	_____	_____
Summer Flounder	_____	_____	_____	_____	_____
American Lobster	_____	_____	_____	_____	_____
Scup	_____	_____	_____	_____	_____
Squid/Mack/Butterfish	_____	_____	_____	_____	_____
Black Sea Bass	_____	_____	_____	_____	_____
Monkfish	_____	_____	_____	_____	_____
Bluefish	_____	_____	_____	_____	_____
Herring	_____	_____	_____	_____	_____
Tilefish	_____	_____	_____	_____	_____

Section 4 - OWNER'S SIGNATURE

I, the undersigned, am the owner or legally authorized agent of the owner of the vessel named in Section 1 above. **I affirm, subject to the penalties provided in 18 USC 1001, that all information I have given in obtaining this permit is true and correct.**

Previously permitted  
vessel permit # \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_



## INSTRUCTIONS

### 2000 VESSEL PERMIT RENEWAL - NORTHEAST FEDERAL FISHERIES

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#### COMPLETING THE APPLICATION:

The enclosed 2000 Vessel Permit Renewal Application is partially completed based on your 1999 Federal Fishing Permit. Use this checklist to help ensure that your application is correct and complete. **Incomplete applications will not be processed.** To complete your application you must:

- ✓ Update or correct the information printed on your application
- ✓ Enclose a copy of your **current** State Registration or Coast Guard document
- ✓ Submit all trip reports that are due to the Data Center at the address below (contact no. 978-281-9246)
- ✓ Submit requested corporate information *if* your vessel is owned by a corporation (see Section 3)
- ✓ Submit requested partnership information *if* your vessel is owned through a partnership (see Section 3)
- ✓ Submit a copy of the vessel's **current** charter/party license (see Section 3)
- ✓ Sign and date the application

#### Send the completed application to:

National Marine Fisheries Service  
Attention: Permit Office  
One Blackburn Drive  
Gloucester, MA 01930-2298

#### WHEN TO SUBMIT:

Your renewal application should be returned to us at least 30 days prior to the date the permit is required in order to assure an expeditious processing of your application. **NO WALK-IN SERVICE IS AVAILABLE.**

#### WHO TO CONTACT WITH QUESTIONS:

SECTION BY SECTION INSTRUCTIONS FOLLOW. The answers to most questions can be found in these instructions. Please contact us at 978-281-9278 if you can not find the answer to your question. Northeast Fisheries Regulations, permit data, and important announcements are available on our website at: [www.nero.nmfs.gov](http://www.nero.nmfs.gov).

#### CHANGES MADE AFTER THIS APPLICATION IS SUBMITTED:

You are required to notify the National Marine Fisheries Service within 15 days if any of the information you submit with this renewal application changes during the year 2000 fishing year.

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### SECTION 1: VESSEL/OWNER INFORMATION

Enter information only for items that have changed or are incorrect. For our purposes Home Port and Principal Port are defined as follows.

Home Port \_\_\_\_\_ City and State where vessel is moored.

Principal Port \_\_\_\_\_ City and State where the majority of your landings occur.

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## SECTION 2: 1999 FISHERY INFORMATION & RENEWAL CHANGES

**1999 Fishery Information**, (the box on the left) gives information about the Federal permits your vessel held in 1999. If no new entries are made in Section 2 and all vessel reporting requirements have been met, your 2000 permit will be issued for the fisheries indicated **upon receipt of a complete application**.

**Renewal Changes**, (the box on the right) is provided for any changes you wish to make to your 2000 Federal fisheries permit. Except as noted for some limited access fisheries, you may add, cancel or change a fishery, category or gear code by entering new information in the spaces provided.

**Category:** For each fishery you wish to add, cancel or change, select the category that best describes your fishing operation, and write the category numbers or letters in this column.

**Gear Code:** For each fishery, select the applicable gear codes from the Gear Code table below. Write the gear code numbers in the column marked "Gear."

**Cancel:** To cancel a fishery, put an "X" in the column marked "Cancel". Please note that once you relinquish (cancel) a limited access permit, you will lose your right to renew that limited access permit in subsequent years.

### GEAR CODES

120 Purse Seines	320 Mid-water Trawls	800 Pots and Traps	1010 Harpoons
210 Beach Seines	330 Other Trawls	911 Hand Lines	1200 Other Gear
220 Boat Seines	410 Dredge	912 Rod and Reel	1400 Diving Gear
310 Bottom Trawls	700 Gill or Entangling Nets	920 Longlines or Setlines	

### ***FISHERY PERMIT CATEGORIES (Shaded)***

#### **NORTHEAST MULTISPECIES:**

Regulated species	Cod, haddock, yellowtail flounder, pollock, redfish (ocean perch), winter flounder (blackback), American plaice (dab), witch flounder (grey sole), windowpane flounder (sand dab) and white hake
Non-Regulated species	Silver hake (whiting), red hake (ling) and ocean pout, and Atlantic halibut (vessels may land or possess on board no more than one Atlantic halibut per trip)

**Limited Access Permits:** These permits may only be renewed by vessels that have previously held them, or to approved replacements of such vessels. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

**A** Individual DAS

**B** Fleet DAS

**C** Small Vessel Exemption: (less than or equal to 30')

**D** Hook Gear: (Vessels in this category may not change category)

**E** Combination Vessels: (Vessels in this category may not change category)

**F** Large Mesh Individual DAS: Category A (Individual DAS) or E (Combination) vessels may elect this category for the entire year. Fish for multispecies groundfish no more than 36 percent beyond the DAS allocations specified on vessel's DAS allocation for Categories A or E. Must fish either gillnet gear with a minimum size 7" diamond mesh or trawl gear with a minimum size 8" diamond mesh.

**G** Large Mesh Fleet DAS: Category B (Fleet DAS) vessel may elect this category for the entire year. Fish for multispecies groundfish using no more than 120 DAS. Must fish either gillnet gear with a minimum size 7" diamond mesh or trawl gear with a minimum size 8" diamond mesh.

## NORTHEAST MULTISPECIES (continued)

**Open Access Permits:** Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- H** Handgear: Retain up to 300 lbs. combined weight of cod, haddock and yellowtail flounder, one Atlantic halibut of at least 36 inches in size, and unlimited amounts of other Northeast multispecies provided that only rod and reel or handline gear is used or possessed on the vessel while in possession of, fishing for, or landing Northeast multispecies, and provided that there is at least one standard tote on board.
- I** Charter/Party: Fish for or retain multispecies in the EEZ when carrying passengers for hire (See Section 3 for additional information).
- J** Scallop Multispecies Possession Limit: Retain up to 300 lbs. of regulated species while fishing under a scallop DAS. Vessel must have a Limited Access Scallop Permit to qualify for this category.
- K** Non-Regulated Multispecies: Fish for non-regulated multispecies: silver hake (whiting), red hake (ling), ocean pout or Atlantic halibut (vessels may land or possess on board no more than one Atlantic halibut per trip, at least 36 inches).

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## ATLANTIC SEA SCALLOP:

**Open Access Permit:** Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 1** General: Retain or land no more than 400 lbs. of shucked scallops, or 50 US bushels of in-shell scallops, per trip.

**Limited Access Permits:** These permits may only be renewed by vessels that have previously held them, or to approved replacements of such vessels. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 2** Full-Time
- 3** Part-Time
- 4** Occasional
- 5** Full-Time - Small Dredge: Category 3 (Part-Time) vessel may elect this category for the entire year. Fish for scallops using one dredge no larger than 10.5 ft. and a crew no larger than five.
- 6** Part-Time - Small Dredge: Category 4 (Occasional) vessel may elect this category for the entire year. Fish for scallops using one dredge no larger than 10.5 ft. and a crew no larger than five.
- 7** Full-Time - Authorized to use trawl nets
- 8** Part-Time - Authorized to use trawl nets
- 9** Occasional - Authorized to use trawl nets

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## SURFCLAM/OCEAN QUAHOG

**Open Access Permits:** Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

- 1** Surfclam: Harvest surfclams\*.
- 6** Ocean Quahog: Harvest ocean quahogs\*.

\* To harvest and land surfclams or ocean quahogs, an allocation of quota is required. For more information, call (978) 281-9262.

**Limited Access Permit:** These permits may only be renewed by vessels that have previously held them, or to approved replacements of such vessels. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 7** Maine Mahogany Quahog: Harvest ocean quahogs without an allocation in Federal waters in the area north of latitude 43°50'N.



## AMERICAN LOBSTER

**Limited Access Permits:** These permits may only be renewed by vessels that have previously held them, or to approved replacements of such vessels. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 1 Commercial
- 2 Charter/Party

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## SUMMER FLOUNDER (FLUKE)

**Limited Access Permit:** This permit may only be renewed by vessels that have previously held one, or to approved replacements of such vessels. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 1 Commercial Moratorium

**Open Access Permit:** **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 2 Charter/Party: Fish for or retain summer flounder in the EEZ while carrying passengers for hire (See Section 3 for additional information).

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## SCUP (PORGY)

**Limited Access Permit:** This permit may only be renewed by vessels that have previously held one, or to approved replacements of such vessels. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 1 Scup Moratorium

**Open Access Permit:** **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 2 Charter/Party: Fish for or retain scup in the EEZ while carrying passengers for hire (See Section 3 for additional information).

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## SQUID, MACKEREL, AND BUTTERFISH

**Limited Access Permits:** This permit may only be renewed by vessels that have previously held one, or to approved replacements of such vessels. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 1 Loligo/Butterfish Moratorium
- 5 Illex Squid Moratorium

**Open Access Permits:** **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 2 Squid/Mackerel/Butterfish Charter/Party: Fish for or retain Loligo or Illex squid, or butterfish in the EEZ while carrying passengers for hire (See Section 3 for additional information).
- 3 Squid/Butterfish Incidental Catch: Fish commercially for up to 2,500 lbs of Loligo squid or butterfish and 5,000 lbs of Illex squid per trip.
- 4 Atlantic Mackerel: Fish commercially for Atlantic mackerel in the EEZ.

## BLACK SEA BASS

**Limited Access Permit:** This permit may only be renewed by vessels that have previously held one, or to approved replacements of such vessels. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 1 Black Sea Bass Moratorium: Fish commercially north of 35° 15.3' N. latitude.

**Open Access Permit:** **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 2 Charter/Party: Fish for or retain black sea bass north of 35° 15.3' N. latitude while carrying passengers for hire. (See Section 3 for additional information).

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## ATLANTIC BLUEFISH

**Open Access Permit:** **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 1 Commercial: Possess or harvest Atlantic bluefish from the EEZ in excess of the daily possession limit.
- 2 Charter/Party: Fish for or retain Atlantic bluefish while carrying passengers for hire. (See Section 3 for additional information).

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## SPINY DOGFISH

**Open Access Permit:** **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

- 1 General: To commercially fish for, possess, or land spiny dogfish caught in or from the EEZ.

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## MONKFISH

**Limited Access Permits:** These permits will only be issued to vessels that have applied for the permit and met the qualification criteria specified below by no later than November 7, 2000. These permits may only be renewed by vessels that have been issued a limited access monkfish permit. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations and permit holder letters sent previously.**

- A** Vessels which do not possess a multispecies or scallop limited access permit and can provide proof of landing at least 50,000 pounds of tail weight or 166,000 pounds of whole weight of monkfish during the period of February 28, 1991, through February 27, 1995.
- B** Vessels which do not possess a multispecies or scallop limited access permit that are less than 51 gross registered tonnage, do not qualify for a category A permit, and can provide proof of landing at least 7,500 pounds of tail weight or 24,900 pounds of whole weight of monkfish during the period of February 28, 1991, through February 27, 1995.
- C** Vessels which possess a multispecies or scallop limited access permit and can provide proof of landing at least 50,000 pounds of tail weight or 166,000 pounds of whole weight of monkfish during the period of February 28, 1991, through February 27, 1995.
- D** Vessels that do not qualify for a Category C permit which possess a multispecies or vessels less than 51 gross registered tonnage which possess a scallop limited access permit, and can provide proof of landing at least 7,500 pounds of tail weight or 24,900 pounds of whole weight of monkfish during the period of February 28, 1991, through February 27, 1995.

**Days-at-Sea (DAS) Allocation** - Vessels qualified for Categories A & B will be allocated 40 DAS. Vessels qualified for Categories C & D will be allocated up to 40 DAS and vessels must also be on a multispecies or scallop DAS when using a monkfish DAS.

**Open Access Permit:** This permit may be issued to any vessel not issued a monkfish limited access permit to fish for, possess, or land monkfish. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

**E Incidental Catch** - This permit will allow a vessel to retain a limited amount of monkfish depending on fishing year, area fished, and gear fished. For specific limit amounts please contact the Fisheries Information Line at (978) 281-9278.

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### ***SECTION 3: OWNER'S SIGNATURE AND RENEWAL INSTRUCTIONS***

**Please sign the form. Unsigned or otherwise incomplete applications will be returned.** Your signature is an affirmation under penalty of perjury, that all the information provided in obtaining this permit is true and correct.

#### **ADDITIONAL DOCUMENTS REQUIRED**

- 1 CERTIFICATE OF INCORPORATION, PARTNERSHIP AGREEMENT OR ANNUAL REPORTS** - If the vessel is owned by a corporation or a partnership, the following information must be submitted with the renewal form: A copy of the Certificate of Incorporation must be submitted once. **Each year**, documents showing **current** corporate status and all officers and shareholders owning 25% or more of the shares in the corporation must be submitted. The list of corporate officers and shareholders must include their addresses (examples of acceptable documentation include Minutes from the Corporation Annual Meeting listing the names and addresses of the officers and stockholders, or a signed and dated letter from a Corporate Officer listing the names and addresses of current officers and stockholders). Partnerships must submit a copy of the partnership agreement once. **Each year**, the names and addresses of all partners must be submitted
- 2 SCALLOP VESSELS OWNED** - If you are renewing a limited access sea scallop permit, you must attach a list of the following information for **all vessels** in which you have an ownership interest and that hold limited access sea scallop permits. You may use the attached form for your convenience.
  - ▶ Owner names - **Not Business or Corporate Names**
  - ▶ Vessel names and permit numbers
- 3 USCG DOCUMENTATION** - A copy of the vessel's **current** US Coast Guard Documentation or, if undocumented, **current** state registration.
- 4 CHARTER/PARTY PERMIT** - If you hold or are applying for a charter/party permit, you must submit a copy of the vessel's **current** charter/party license. A copy of one of the following documents is acceptable:
  - ▶ Current state license showing the vessel is authorized to carry charter/party passengers
  - ▶ Current Coast Guard Documentation that shows the vessel is presently documented for "Coastwise"
  - ▶ Current US Coast Guard license to operate or navigate passenger carrying vessels

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Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing & reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden to: National Marine Fisheries Service, Permit Office, 1 Blackburn Drive, Gloucester, MA 01930-2298. The Paperwork Reduction Act requires that potential respondents for a fishing vessel permit be notified of certain information regarding their rights and the burden associated with applying for Federal fisheries permits. One of the regulatory steps taken by the National Marine Fisheries Service to carry out its conservation and management objectives is the requirement of a permit for users of the resources. All the fisheries included on this application require a permit to fish for or retain these species in or from the EEZ, Section 303 (b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) specifically recognizes the need for permit issuance. The purpose and use of these permits are to: (1) register industry participants and fishing vessels, (2) list the characteristics of fishing vessels, (3) exercise influence over compliance, (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. Both the MSFCMA and Executive Orders 12866 et al. require the determination of this information. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. Any information submitted by any person to obtain a permit is not confidential, and may be disclosed upon request.

U.S. DEPARTMENT OF COMMERCE  
 NOAA/NATIONAL MARINE FISHERIES SERVICE  
 PERMIT OFFICE  
 ONE BLACKBURN DRIVE  
 GLOUCESTER, MA 01930-2298

VESSEL RENEWAL APPLICATION  
 2000 NE FEDERAL FISHERIES PERMIT

Tel: (978) 281-9370



**YOU MUST COMPLETE AND SIGN THE BACK OF THIS APPLICATION OR IT WILL NOT BE PROCESSED**

Section 1 - OWNER INFORMATION		Section 2 - VESSEL INFORMATION	
Vessel Name: Owner Name: Address:  Owner Telephone: Additional Owners:		CG Documentation Number or State Registration Number:  Northeast Region Federal Fishing Vessel Permit Number:  Home Port: Principal Port:	
Section 3 - 2000 FISHERY INFORMATION			
Fishery:	Category:	Gear(s):	Cancel:
<i>The front page will be printed by Oracle</i>			

**YOU MUST COMPLETE AND SIGN THE BACK OF THIS APPLICATION OR IT WILL NOT BE PROCESSED**

**Section 4 - CORRECTIONS AND ADDITIONS**

Clearly cross out incorrect owner/vessel information on the front of this form and place corrections below. If no information is crossed out, information written below will be added to your record. To cancel a fishery permit, clearly mark the cancel box on the front of this form. Fishery information listed below will be added to your record.

Vessel Name:

Owner Name:

Owner Address:

Owner Address:

Owner Telephone:

Home Port:

Principal Port:

Other Information:

**Refer to Instructions for correct category code and gear code required in the section below.**

Fishery:	Category:	Gear Code: (may select more than one)
Sea Scallop - Limited Access		
Northeast Multispecies		
Monkfish		
Sea Scallop - General		
Surfclam		
Ocean Quahog		
Summer Flounder		
Scup		
Black Sea Bass		
Squid, Mackerel, Butterfish		
Spiny Dogfish		
Atlantic Bluefish		
Atlantic Herring		
American Lobster		
Tilefish		

**Section 5 - APPLICATION INSTRUCTIONS & SIGNATURE**

<p><input type="checkbox"/> Issue with Requested Changes Above</p> <p><input type="checkbox"/> No Longer Own Vessel</p> <p><input type="checkbox"/> Vessel Sold</p> <p><input type="checkbox"/> Vessel Destroyed</p>	<p>I, the undersigned, am the owner or legally authorized agent of the owner of the vessel named in Section 1 above. I affirm, subject to the penalties provided in 18 USC 1001, that all information that I have given in obtaining this permit is true and correct.</p> <p>Signature: _____</p> <p>Print Name: _____</p> <p>Date: _____</p>
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US Department of Commerce  
NOAA/National Marine Fisheries Service  
One Blackburn Drive  
Gloucester, MA 01930-2298

## Vessel Replacement, Upgrade, and Confirmation of Permit History Application

### Instructions

You can use this application to request a vessel replacement, a vessel upgrade or a confirmation of permit history. The following defines each action. Please read this carefully and check the action(s) for which you are applying. You may apply for more than one action on this application.

Which of the following actions are being requested?

- G Vessel replacement. **(Section A)** This is a replacement of one vessel by another vessel and the transfer of fishing histories and limited access permit eligibility from the old vessel to the new vessel.
  
- G Vessel Upgrade. **(Section B)** This is an increase in the vessel's length, tonnage or horsepower as the result of alterations made to the vessel.  
**Note:** There are no upgrade restrictions for vessels that only hold limited access lobster permits.
  
- G Confirmation of Permit History. **(Section C)** A confirmation of permit history is required when a vessel that has been issued a limited access permit has sunk, been destroyed or been sold to another person without its permit history and a new vessel has not been purchased. **Possession of a confirmation of permit history will allow the applicant to maintain permit eligibility without owning a vessel. An application for a confirmation of permit history must be received by the Regional Administrator no later than 30 days prior to the end of the first full fishing year in which a vessel's permit can not be issued.**

Unless otherwise stated, the word "permit" means a limited access or moratorium permit.

**You must complete and sign the next page or your application will be returned. After completing that page, continue to the appropriate section and complete it also. You must send all of the required verifying documents or your application will not be processed.**

OMB # 0648-0202 Expires

**General Information**  
**This page must be completed by all applicants**

**Provide all verifying documentation, as requested (see Section D for acceptable forms).**

Vessel Name: \_\_\_\_\_  
( for Replacements: **old vessel**; for Confirmation of Permit History: **sold or sunken vessel**;  
for Upgrades: vessel information **before the upgrade**)

Federal Northeast Fisheries Permit Number: \_\_\_\_\_

Coast Guard (CG) Documentation or State Registration Number: \_\_\_\_\_

Current owner of vessel or permit history: \_\_\_\_\_  
*Supporting document required:* You must supply proof that you own the vessel (See Section D, Item 2) **or** that you own the fishing history and limited access permit eligibility of that vessel (See Section D, Item 3).

Owner's Address: \_\_\_\_\_  
\_\_\_\_\_

Owner's Phone Number: \_\_\_\_\_

**Signature of vessel owner or authorized agent:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Section A--Replacement

**Applicants requesting a vessel replacement must complete this section.**

For all vessels with limited access permits (except Lobster), the vessel size and engine horsepower may only be increased once, either through upgrade or replacement. A 10% increase in length overall, gross registered tonnage and net tonnage, and a 20% increase in engine horsepower are allowed. Vessel size and engine horsepower upgrades may be done separately. Any increase in vessel size, including length overall, gross registered tonnage and net tonnage must be done at the same time. Note, if your vessel has only a lobster limited access permit there are no size restrictions on the replacement vessel, however, if you have a lobster permit and another limited access permit, the replacement vessel is subject to the above restrictions.

A limited access permit cannot be “split” from another limited access permit. This means if two or more limited access permits are on one boat they may not be divided and put on two boats. Please call 978 281-9278 for additional explanation if you have any questions about this restriction.

To determine whether your new vessel (or upgraded vessel) may be issued a limited access permit, the size of the new vessel is compared to the “vessel baseline”. A vessel baseline is the vessel’s length overall, gross registered tonnage, net tonnage, and engine horsepower as of either :

a) March 22, 1999 for the following limited access permits: black sea bass, Loligo squid/butterfish, Illex squid, scup, summer flounder, and Maine mahogany quahog , or

b) The date the vessel which was initially issued a multispecies or scallop permit applied for that permit.

If you have both a multispecies or scallop permit **and** a black sea bass, Loligo squid, Illex squid, scup, summer flounder, or Maine mahogany quahog, you will have two baselines.

### Replacement Vessel (new vessel to be permitted)

Vessel Name: \_\_\_\_\_

Federal Northeast Permit Number (if issued): \_\_\_\_\_

Coast Guard (CG) Documentation or State Registration Number: \_\_\_\_\_  
(Submit copy of CG documentation or State registration).

CG documented vessels: **You must submit a copy of the CG documentation papers and proof of engine horsepower (See Section D, Item 1).**

Other vessels: **You must submit documentation verifying the following (See Section D, Item 1):**

-- Length Overall

-- Gross Registered Tonnage

-- Net tonnage

-- Engine Horsepower

Please mark the limited access permit histories that you are transferring. You may only select the limited access permits for which the vessel being replaced is currently qualified. Please keep in mind that all limited access permits must be transferred together and cannot be separated (See the definition of splitting above).

G Multispecies

G Scup

G Scallop

G Black Sea Bass

G Lobster

G Loligo squid/Butterfish

G Summer Flounder

G Illex Squid

G Maine Mahogany Quahog

G Monkfish

G Tilefish



## Section B--Upgrade

**All applicants requesting a vessel upgrade must complete the following section.**

The engine horsepower or size of a vessel with a limited access permit may be increased only once . A 10% upgrade for length overall, gross registered tonnage and net tonnage, and a 20% upgrade for engine horsepower are allowed. Vessel size and engine horsepower upgrades may be done separately. Any increase in vessel size, including length overall, gross registered tonnage and net tonnage must be done at the same time.

***All changes in vessel specifications indicated below require verifying documentation. (See Section D, Item 1).***

New Length Overall \_\_\_\_\_ New Gross Registered Tonnage\_\_\_\_\_

New Net Tonnage\_\_\_\_\_ New Horsepower\_\_\_\_\_

Note; instead of gross registered tonnage and net tonnage information, you may submit verification of vessel breadth and depth, and length overall.

## Section C--Confirmation of Permit History

**All applicants requesting a Confirmation of Permit History (CPH) must complete the following section.**

Indicate the permits requiring issuance of a Confirmation of Permit History. The following are the only fisheries for which CPH certificates are required or available. You may only apply for those permits for which the vessel is currently qualified:

G	Multispecies	G	Scup
G	Scallop	G	Black Sea Bass
G	Lobster	G	<u>Loligo</u> squid/Butterfish
G	Summer Flounder	G	<u>Illex</u> Squid
G	Maine Mahogany Quahog	G	Monkfish

Please check all that apply:

Vessel sold (*Supporting documentation required. See Section D, Item 3*)

Vessel destroyed (*Supporting documentation required. See Section D, Item 4*)

## Section D--Supporting Documentation Required

The following are acceptable forms of verification. You are only required to submit one of the acceptable forms of documentation for any category.

### 1. *Vessel specification documentation*

- ▶ For all vessels, you must verify horsepower by providing one of the following:
  - Marine survey documentation showing the name and location of the marine surveyor
  - Mechanic certification
  - Engine manufacturer specification and proof that the engine is installed on your vessel
- ▶ For Coast Guard documented vessels, you must provide a copy of the documentation papers.\*
- ▶ For State registered vessels, you must verify length overall, gross registered tonnage, and net tonnage by providing one of the following:
  - Marine survey documentation showing the name and location of the marine surveyor; survey may indicate either gross and net tons or provide information on the vessel's breadth and depth (not draft), and length overall.
  - US Bureau of Shipping document

### 2. *Vessel ownership documentation*

- ▶ To verify the ownership of a vessel, please provide a copy of one of the following:
  - Current Coast Guard documentation
  - Current State registration

### 3. *Vessel permit history ownership*

- ▶ To verify that you have retained the permit history of a vessel you no longer own, please provide one of the following :
  - A bill of sale or document stating that the permit history has been retained by you (the seller) and signed by you and the buyer.
  - A copy of the confirmation of permit history.

### 4. *Vessel destruction*

- ▶ To verify that the vessel has been destroyed or is no longer seaworthy, please provide one of the following:
  - Coast Guard accident report.
  - Insurance adjustor's report.
  - Verification from certified marine surveyor that vessel is no longer seaworthy.

\* By submitting this documentation you confirm that the vessel length overall is correct as indicated on the CG documentation. If it is not, please submit additional documentation to confirm the length overall of the vessel.

**NOTE: Submission of fraudulent or inaccurate information could result in enforcement action, up to and including fines, permit sanctions, or the revocation of limited access permits.**

**YOUR COMPLETED APPLICATION SHOULD INCLUDE THE FOLLOWING:**

**APPLICATION FOR VESSEL REPLACEMENT**

1. You should complete and submit:
  - ▶ Page 2 - General Information
  - ▶ Page 3 - Section A--Replacement
2. You should submit the following supporting documentation for BOTH \* the vessel being replaced (old vessel) and the replacement vessel:
  - ▶ Vessel specification documentation (See Section D-Item 1)(not necessary for vessels holding only limited access lobster permits)
  - ▶ Vessel/History ownership verification (See Section D-Items 2 or 3 as applicable) or proof of vessel destruction (See Section D-Item 4)

\* Note; if you have already established a baseline for the old vessel by submitting information verifying your vessel's baseline specifications, you will not need to submit additional verification. You should submit information about the replacement vessel.

**APPLICATION FOR A VESSEL UPGRADE**

1. You should complete and submit:
  - ▶ Page 2 - General Information
  - ▶ Page 4 - Section B--Upgrade
2. You should submit the following supporting documentation:
  - ▶ Vessel specification documentation (See Section D-Item 1)

**APPLICATION FOR A CONFIRMATION OF PERMIT HISTORY**

1. You should complete and submit
  - ▶ Page 2 - General Information
  - ▶ Page 4 - Section C--Confirmation of Permit History
2. You should submit the following supporting documentation:
  - ▶ History ownership verification (See Section D-Item 3) or proof of vessel destruction (See Section D-Item 4)

rev.11/27/00

OMB # 0648-0202 Expires

**Request for a replacement, upgrade notification, or history retention :**

The application to allow the respondent to request a replacement of one vessel by another, change vessel specifications due to an upgrade, or retain a vessel's history, is meant to aid in the administration and enforcement of the regulations that relate to these programs. This form will save the respondent time and effort in that all the requirements relating to the interrelated actions are included on one form. These requirements have been adopted as part of the effort reduction programs under the Fishery Management Plans (FMPs) that govern the fisheries involved, and are consistent with the conservation goals of the FMPs. The information provided on this application will allow industry members to replace older vessels with new vessels or retain histories, in a manner consistent with the effort reduction requirements of the FMPs. The information provided through any requests to upgrade a vessel specification will be used for the purposes of monitoring compliance with effort reduction programs.

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The information requested on this form is not confidential and will be available to the general public.

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**BURDEN STATEMENT:** Public reporting burden for this collection of information is estimated to average three hours per response for vessel replacements and upgrades, and 30 minutes for vessel history retention. These estimated response times include the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or suggestions for reducing this burden to National Marine Fisheries Service, Fishery Management Operations Division, 1 Blackburn Drive, Gloucester, MA 01930-2298.

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Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a current valid OMB Control Number.



U.S. Department of Commerce  
 National Oceanic & Atmospheric Administration  
 National Marine Fisheries Service - Permit Office  
 One Blackburn Drive  
 Gloucester, MA 01930-2298  
 (978) 281-9370



**INITIAL APPLICATION FOR COMMERCIAL  
 VESSEL OPERATOR PERMIT**

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

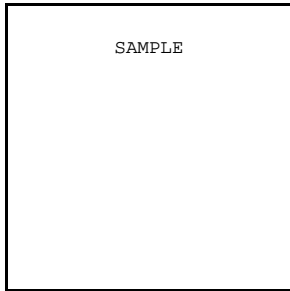
CITY/STATE/ZIP CODE \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_ DATE OF BIRTH \_\_\_\_\_

HAIR COLOR \_\_\_\_\_ EYE COLOR \_\_\_\_\_

HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_

PLEASE ENCLOSE TWO (2) CURRENT COLOR PASSPORT PHOTOS OF YOURSELF:



TO AVOID DELAY IN PROCESSING, PLEASE INCLUDE ALL INFORMATION REQUESTED.

I AFFIRM UNDER PENALTY OF PERJURY, THAT ALL INFORMATION I HAVE GIVEN IN OBTAINING THIS LICENSE IS TRUE. I UNDERSTAND THAT VIOLATIONS OF FEDERAL FISHERIES LAWS AND REGULATIONS MAY SUBJECT ME TO CRIMINAL AND CIVIL PENALTIES INCLUDING FINE AND/OR REVOCATION OF LICENSE. FURTHER, AS A CONDITION OF THIS OPERATOR'S PERMIT, I AGREE THAT IF THIS PERMIT IS SUSPENDED OR REVOKED PURSUANT TO 15 CFR PART 904, I WILL NOT BE ON BOARD A FEDERALLY PERMITTED FISHING VESSEL IN ANY CAPACITY WHILE THE VESSEL IS AT SEA OR ENGAGED IN OFFLOADING. IN OBTAINING THIS OPERATOR'S PERMIT, I UNDERSTAND THAT I MUST COMPLY WITH CURRENT LAW, WHICH REQUIRES THAT I BE A U.S. CITIZEN TO SERVE AS MASTER OR OFFICER IN CHARGE OF A DECK WATCH ON A U.S. DOCUMENTED FISHING VESSEL FISHING INSIDE THE EXCLUSIVE ECONOMIC ZONE.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

Public reporting burden for this collection of information is estimated to average 1 hour per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden to: NMFS, One Blackburn Drive, Gloucester, MA 01930-2298. The purpose and use of these permits are to (1) register industry participants and fishing vessels, (2) exercise influence over compliance, (3) provide a mailing list for the dissemination of important information to the industry, (4) register participants to be considered for limited entry, and (5) provide a universe for data collection samples. Both the MSFCMA and Executive Orders 12866 et al, require the determination of this information. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. Any information submitted by any person to obtain a permit is not confidential, and may be disclosed upon request.

U. S. DEPARTMENT OF COMMERCE  
NATIONAL OCEANIC & ATMOSPHERIC ADMIN  
NATIONAL MARINE FISHERIES SERVICE  
PERMIT OFFICE  
ONE BLACKBURN DRIVE  
GLOUCESTER, MA 01930-2298



INITIAL DEALER APPLICATION

Tel: (978) 281-9370

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SECTION 1 - DEALER INFORMATION

Southeast Dealer # (if available) \_\_\_\_\_

Company name: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State : \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

\*\*Vessel Name: \_\_\_\_\_ \*\*Vessel Hull Number: \_\_\_\_\_

\*\* (must enter vessel name and hull number above if applying for Atlantic Mackerel at Sea Processor or Atlantic Herring Processor, if herring processing will be done aboard a vessel)

Where there are more than one place of business where the regulated species are purchased or received for commercial purposes, each address must be listed. List those additional addresses on the back of this form in Section 1A.

---

SECTION 2 - FISHERIES

Select the fisheries desired by placing an (X) in the boxes provided. Select all fisheries that apply.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Atlantic Bluefin Tuna             | <input type="checkbox"/> Northeast Multispecies               | <input type="checkbox"/> Scup              |
| <input type="checkbox"/> Other Atlantic Tunas *            | <input type="checkbox"/> American Lobster                     | <input type="checkbox"/> Black Sea Bass    |
| * (Yellowfin, Bigeye, Skipjack, Albacore)                  | <input type="checkbox"/> Squid, Mackerel, Butterfish          | <input type="checkbox"/> Monkfish          |
| <input type="checkbox"/> Surfclam/Ocean Quahog - Dealer    | <input type="checkbox"/> Atlantic Mackerel at Sea Processor** | <input type="checkbox"/> Atlantic Bluefish |
| <input type="checkbox"/> Surfclam/Ocean Quahog - Processor | <input type="checkbox"/> Atlantic Herring Processor**         | <input type="checkbox"/> Spiny Dogfish     |
| <input type="checkbox"/> Summer Flounder                   | ** (see note in Section 1)                                    | <input type="checkbox"/> Tilefish          |
| <input type="checkbox"/> Sea Scallop                       | <input type="checkbox"/> Atlantic Herring Dealer              |  |

---

SECTION 3 - OWNER'S SIGNATURE

I affirm, subject to the penalties provided in 18 USC 1001, that all information I have given in obtaining this permit is true and correct.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

SECTION 1A - ADDITIONAL DEALER INFORMATION. If there is more than one place of business where the regulated species are purchased or received for commercial purposes, each address must be listed below.

COMPANY ADDRESS:

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COMPANY TELEPHONE: \_\_\_\_\_

COMPANY ADDRESS:

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COMPANY TELEPHONE: \_\_\_\_\_

COMPANY ADDRESS:

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COMPANY TELEPHONE: \_\_\_\_\_

COMPANY ADDRESS:

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COMPANY TELEPHONE: \_\_\_\_\_

The Paperwork Reduction Act requires potential respondents for a dealer/processor permit be notified of certain information regarding their rights and the burden associated with applying for a Federal dealer/processor permit. One of the regulatory steps taken by the National Marine Fisheries Service (NMFS) to carry out conservation and management objectives is the requirement of a permit for users of the resources. All the fisheries included on this application require a permit to purchase, or otherwise receive for transport, species harvested by the owner or operator of a fishing vessel issued a Federal fisheries permit for these species. Section 303(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) specifically recognizes the need for permit issuance. Both the MSFCMA and Executive Orders 12866 et al. require the determination of this information.

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden to: National Marine Fisheries Service, Permit Office, One Blackburn Drive, Gloucester, MA 01930-2298. The information requested on this form is not confidential and will be available to the general public.

The purpose and use of permits is to: (1) register fish dealers and processor, (2) list the characteristics of dealer/processor operations, (3) exercise influence over compliance (e.g. withhold issuance pending collection of unpaid penalties), (4) provide a mailing list for the dissemination of important information to the industry, (5) provide a universe for data collection samples, and (6) obtain first purchase information on landings to evaluate the biological, economic and social implications of management measures.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

**SEC. 303. CONTENTS OF FISHERY MANAGEMENT PLANS 16 U.S.C. 1853**

**95-354, 99-659, 101-627, 104-297**

**(a) REQUIRED PROVISIONS.**--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, shall--

(1) contain the conservation and management measures, applicable to foreign fishing and fishing by vessels of the United States, which are--

(A) necessary and appropriate for the conservation and management of the fishery to prevent overfishing and rebuild overfished stocks, and to protect, restore, and promote the long-term health and stability of the fishery;

(B) described in this subsection or subsection (b), or both; and

(C) consistent with the national standards, the other provisions of this Act, regulations implementing recommendations by international organizations in which the United States participates (including but not limited to closed areas, quotas, and size limits), and any other applicable law;

(2) contain a description of the fishery, including, but not limited to, the number of vessels involved, the type and quantity of fishing gear used, the species of fish involved and their location, the cost likely to be incurred in management, actual and potential revenues from the fishery, any recreational interest in the fishery, and the nature and extent of foreign fishing and Indian treaty fishing rights, if any;

(3) assess and specify the present and probable future condition of, and the maximum sustainable yield and optimum yield from, the fishery, and include a summary of the information utilized in making such specification;

(4) assess and specify--

(A) the capacity and the extent to which fishing vessels of the United States, on an annual basis, will harvest the optimum yield specified under paragraph (3),

(B) the portion of such optimum yield which, on an annual basis, will not be harvested by fishing vessels of the United States and can be made available for foreign fishing, and

(C) the capacity and extent to which United States fish processors, on an annual basis, will process that portion of such optimum yield that will be harvested by fishing vessels of the United States;

(5) specify the pertinent data which shall be submitted to the Secretary with respect to commercial, recreational, and charter fishing in the fishery, including, but not limited to,



information regarding the type and quantity of fishing gear used, catch by species in numbers of fish or weight thereof, areas in which fishing was engaged in, time of fishing, number of hauls, and the estimated processing capacity of, and the actual processing capacity utilized by, United States fish processors;

(6) consider and provide for temporary adjustments, after consultation with the Coast Guard and persons utilizing the fishery, regarding access to the fishery for vessels otherwise prevented from harvesting because of weather or other ocean conditions affecting the safe conduct of the fishery; except that the adjustment shall not adversely affect conservation efforts in other fisheries or discriminate among participants in the affected fishery;

(7) describe and identify essential fish habitat for the fishery based on the guidelines established by the Secretary under section 305(b)(1)(A), minimize to the extent practicable adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat;

(8) in the case of a fishery management plan that, after January 1, 1991, is submitted to the Secretary for review under section 304(a) (including any plan for which an amendment is submitted to the Secretary for such review) or is prepared by the Secretary, assess and specify the nature and extent of scientific data which is needed for effective implementation of the plan;

(9) include a fishery impact statement for the plan or amendment (in the case of a plan or amendment thereto submitted to or prepared by the Secretary after October 1, 1990) which shall assess, specify, and describe the likely effects, if any, of the conservation and management measures on--

(A) participants in the fisheries and fishing communities affected by the plan or amendment; and

(B) participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants;

(10) specify objective and measurable criteria for identifying when the fishery to which the plan applies is overfished (with an analysis of how the criteria were determined and the relationship of the criteria to the reproductive potential of stocks of fish in that fishery) and, in the case of a fishery which the Council or the Secretary has determined is approaching an overfished condition or is overfished, contain conservation and management measures to prevent overfishing or end overfishing and rebuild the fishery;

(11) establish a standardized reporting methodology to assess the amount and type of bycatch occurring in the fishery, and include conservation and management measures that, to the extent practicable and in the following priority--

(A) minimize bycatch; and

(B) minimize the mortality of bycatch which cannot be avoided;

(12) assess the type and amount of fish caught and released alive during recreational fishing under catch and release fishery management programs and the mortality of such fish, and include conservation and management measures that, to the extent practicable, minimize mortality and ensure the extended survival of such fish;

(13) include a description of the commercial, recreational, and charter fishing sectors which participate in the fishery and, to the extent practicable, quantify trends in landings of the managed fishery resource by the commercial, recreational, and charter fishing sectors; and

(14) to the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery.

97-453, 99-659, 101-627, 102-251, 104-297

**(b) DISCRETIONARY PROVISIONS.**--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, may--

(1) require a permit to be obtained from, and fees to be paid to, the Secretary, with respect to--

(A) any fishing vessel of the United States fishing, or wishing to fish, in the exclusive economic zone [or special areas,]\* or for anadromous species or Continental Shelf fishery resources beyond such zone [or areas]\*;

(B) the operator of any such vessel; or

(C) any United States fish processor who first receives fish that are subject to the plan;

(2) designate zones where, and periods when, fishing shall be limited, or shall not be permitted, or shall be permitted only by specified types of fishing vessels or with specified types and quantities of fishing gear;

(3) establish specified limitations which are necessary and appropriate for the conservation and management of the fishery on the--

(A) catch of fish (based on area, species, size, number, weight, sex, bycatch, total biomass, or other factors);

(B) sale of fish caught during commercial, recreational, or charter fishing, consistent with any applicable Federal and State safety and quality requirements; and

(C) transshipment or transportation of fish or fish products under permits issued pursuant to section 204;

(4) prohibit, limit, condition, or require the use of specified types and quantities of fishing gear, fishing vessels, or equipment for such vessels, including devices which may be required to facilitate enforcement of the provisions of this Act;

(5) incorporate (consistent with the national standards, the other provisions of this Act, and any other applicable law) the relevant fishery conservation and management measures of the coastal States nearest to the fishery;

(6) establish a limited access system for the fishery in order to achieve optimum yield if, in developing such system, the Council and the Secretary take into account--

(A) present participation in the fishery,

(B) historical fishing practices in, and dependence on, the fishery,

(C) the economics of the fishery,

(D) the capability of fishing vessels used in the fishery to engage in other fisheries,

(E) the cultural and social framework relevant to the fishery and any affected fishing communities, and

(F) any other relevant considerations;

(7) require fish processors who first receive fish that are subject to the plan to submit data (other than economic data) which are necessary for the conservation and management of the fishery;

(8) require that one or more observers be carried on board a vessel of the United States engaged in fishing for species that are subject to the plan, for the purpose of collecting data necessary for the conservation and management of the fishery; except that such a vessel shall not be required to carry an observer on board if the facilities of the vessel for the quartering of an observer, or for carrying out observer functions, are so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized;

(9) assess and specify the effect which the conservation and management measures of the plan will have on the stocks of naturally spawning anadromous fish in the region;

(10) include, consistent with the other provisions of this Act, conservation and management measures that provide harvest incentives for participants within each gear group to employ fishing practices that result in lower levels of bycatch or in lower levels of the mortality of bycatch;

16 U.S.C. 1853

(11) reserve a portion of the allowable biological catch of the fishery for use in scientific research; and

(12) prescribe such other measures, requirements, or conditions and restrictions as are determined to be necessary and appropriate for the conservation and management of the fishery.

97-453, 104-297