

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 09/20/2006

Department of Commerce
National Oceanic and Atmospheric Administration
FOR CERTIFYING OFFICIAL: Barry West
FOR CLEARANCE OFFICER: Diana Hynek

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 07/05/2006

ACTION REQUESTED: Extension without change of a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 200607-0648-002
TITLE: Alaska Region Permit Family of Forms
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0206

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 09/30/2009

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	899	483	1,000
New	886	378	1,000
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	-13	0	0
Change due to Agency Adjustment	0	-105	0
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: John F. Morrall III
Acting Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Alaska Region Permit Family of Forms			

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 b. <input type="checkbox"/> None 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, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT
ALASKA REGION PERMIT FAMILY OF FORMS
OMB CONTROL NO.: 0648-0206**

INTRODUCTION

National Marine Fisheries Service (NMFS) Alaska Region manages the groundfish fisheries in the exclusive economic zone (EEZ) of the Bering Sea and Aleutian Islands Management Area (BSAI) and Gulf of Alaska (GOA) under Fishery Management Plans (FMPs) for groundfish in the respective areas. The North Pacific Fishery Management Council (Council) prepared, and NMFS approved, the FMPs under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 *et seq.* Regulations implementing the FMPs appear at 50 CFR part 679.

This action is renewing an existing collection-of-information. Section 303(b)(1) of the Magnuson-Stevens Act specifically recognizes the need for permit issuance. The issuance of a permit is an essential ingredient in the management of fishery resources. Identification of the participants and expected activity levels is needed to measure the consequences of management controls, and is an effective tool in the enforcement of other fishery regulations. Experience has shown that fines for violations of specific fishery regulations are not as effective as the threat of a permit revocation that would exclude the participant from the fishery altogether. Vessel owners may be willing to pay the fines if the violation brings enough economic benefit, but do not want to be excluded from the fishery.

To implement the Magnuson-Stevens Act, NMFS created a set of vessel and processor permits and established a family of application forms that vessels and processors must use when fishing for or processing groundfish. The purpose of this collection-of-information is to allow NMFS to monitor fishing and processing in the GOA and BSAI groundfish fisheries.

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

This collection-of-information provides NMFS Alaska Region a means to uniquely identify the vessel and owner of the vessel and a way to monitor participation in groundfish fisheries. The information requested on the permit application forms is used by the U.S. Coast Guard (USCG), NMFS Sustainable Fisheries Division, NMFS Restricted Access Management Program (RAM), NMFS Observer Program, National Oceanic and Atmospheric Administration (NOAA) NMFS Office for Enforcement (OLE), and the Council.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

a. Federal Fisheries Permit.

The Federal Fisheries Permit (FFP) is required for vessels of the United States which are used to fish for groundfish in the GOA and BSAI. Only persons who are U.S. Citizens are authorized to receive or hold an FFP. This permit is also required for vessels used to fish for any non-groundfish species and that are required to retain any bycatch of groundfish under 50 CFR Part 679. Non-groundfish species include but are not limited to halibut, crab, salmon, scallops, and herring. If vessels plan to participate in the directed fisheries for Pacific cod, pollock, and/or Atka mackerel with any gear other than jig gear, the FFP must be endorsed for these species by gear type used.

The FFP is non-transferable, three-year permit, issued on request and without charge to vessel owners. These permits are authorized at [50 CFR 679.4\(b\)](#).

Federal fisheries permit (FFP) application

If ownership of the vessel has changed or if this is a new FFP application for a vessel, attach a copy of the USCG Abstract of Title or Certificate of Documentation.

Indicate (YES or NO) whether this application is submitted to amend an existing FFP.

If YES, provide current FFP number

Block A – Owner information

Owner name(s)

Business mailing address, including street or P.O. Box, city, state, and zip code

Business telephone number, FAX number, and E-mail address

Social security number* (voluntary) or Tax identification number

***Privacy Act Statement:** Federal regulations at 50 CFR part 679 authorize collection of this information. This information is used to verify the identity of the applicant(s) and to accurately retrieve confidential records related to federal commercial fishery permits. Where the requested information is a Social Security number (SSN), disclosure is voluntary; in the event it is not provided, NMFS will assign a unique code that will identify the records.

Managing company name (if any)

Block B. Vessel information

Vessel name

Home port (city and state)

ADF&G processor code (if applicable)

Indicate (YES or NO) whether this is a vessel of the United States

USCG documentation number and State of Alaska Department of Fish & Game (ADF&G) vessel registration number of vessel

Length overall (ft) and registered length (ft)

Gross tonnage and net tonnage

Shaft horsepower

Block C. Permit information

Area of operation.

Type of vessel operation.

Gear type (catcher vessel or catcher/processor only)

GOA Inshore Processing Endorsement (catcher/processor under 125 ft length overall)

Block D. Species Endorsements and Amendments

Indicate whether planning to participate in any of the following 4 directed fisheries with gear other

than jig gear. Vessels endorsed for these directed fisheries in the EEZ off Alaska are required to have on board and use a Vessel Monitoring System (VMS) while the directed fisheries for which the permit is endorsed are open, regardless of where the vessel is fishing at the time (including Alaska State waters) or what the vessel is targeting.

Pacific Cod -- gear type: trawl, hook-and-line, pot – or remove endorsement

Pollock – gear type: trawl, hook-and-line, pot – or remove endorsement

BSAI Atka mackerel -- gear type: trawl, hook-and-line, pot – or remove endorsement

AI Harvest Limit Area Atka mackerel -- Statistical Area 542, Statistical Area 543, Both – or remove endorsement

Block E. Signature

Enter name and signature of applicant and date signed

Federal Fisheries Permit, respondents	
Total number of respondents	2,494
1,954 catcher vessels;	
260 catcher/processors	
86 motherships	
169 tender vessels	
25 support vessels	
Total number of responses (2,494 /3)	831
Permits per participant=1 each 3 yr	
Total Time burden (831 x .35=290.85)	291 hr
Time requirement per response (21 min=.35 hr)	
Total personnel costs (\$25 x 291)	\$7,275
Cost per hour =\$25	
Total miscellaneous costs	\$1,247
Annual fax (1.50 x 831=1246.50)	

Federal Fisheries Permit, Federal Government	
Total number of responses	831
Total time burden for all responses	624 hr
(831 x .75=623.25)	
Time requirement per response (45 min = .75 hr)	
Total personnel cost (\$25 x 624)	\$15,600
Cost per hour =\$25	
Total miscellaneous costs	\$0

b. Federal processor permit (FPP) application

No shoreside processor of the United States or stationary floating processor (SFP) may receive or process groundfish harvested in the GOA or BSAI, unless the owner first obtains a Federal processor permit. A Federal processor permit is issued without charge.

Federal processor permit (FPP) application

Only persons who are U.S. Citizens are authorized to receive or hold an FPP.

Indicate whether applying for permit for shoreside processor or SFP

Attach a copy of the USCG Abstract of Title or Certificate of Documentation if new FPP or if ownership of the SFP has changed.

Indicate (YES or NO) whether applying for amendment to existing permit.

If YES, enter FPP number.

Block A. Owner information

Owner name(s)

Business mailing address, including street or box, city, state, and zip code

Social security number (voluntary) or Tax identification number

***Privacy Act Statement:** Federal regulations at 50 CFR part 679 authorize collection of this information.

This information is used to verify the identity of the applicant(s) and to accurately retrieve confidential records related to federal commercial fishery permits. Where the requested information is a Social Security number (SSN), disclosure is voluntary; in the event it is not provided, NMFS will assign a unique code that will identify the records.

Business telephone number, FAX number, and E-mail address
 Managing company name (if any)

Block B. SFP information.

Name of SFP
 Indicate (YES or NO) whether this is a vessel of the United States
 USCG documentation number
 ADF&G vessel registration number
 ADF&G processor code
 Length overall (ft) and registered length (ft)
 Gross tonnage and net tonnage
 Shaft horsepower
 Home port (city and state)
 Indicate if requesting GOA Inshore Processing Endorsement

Block C. Shoreside processor information

Name of shoreside processor
 Business address
 Physical location of plant at which this shoreside processor is operating (no post office boxes)
 Indicate (YES or NO) whether this shoreside processor is replacing a previous processor at this facility;
 if YES, name of previous processor
 Indicate (YES or NO) whether there are multiple processors at this facility;
 Indicate (YES or NO) whether the owner named in Block A, above, owns the plant named in Block C
 ADF&G processor code
 Business telephone number, FAX number, and E-mail address

Block D. Signature

Name and signature of applicant and date signed

Federal Processor Permit, respondents	
Total number of respondents	158
154 shoreside processors	
4 SFPs	
Total number of responses (158/3)	53
Number responses per participant=1	
Total time burden for all responses	17 hr
(53 x .33=17.49)	
Time requirement per response (21 min = .33 hr)	
Total personnel cost (\$25 x 17 hr)	\$425
Cost per hour =\$25	
Total miscellaneous cost	\$79
Annual fax (1.50 * 158=237)/3 yr	

Federal Processor Permit, Federal Government	
Total number responses	53
Total time burden for all responses	40 hr
(53 x .75=39.75)	
Time requirement per permit (45 min = .75 hr)	
Total personnel cost (\$25 x 40 hr)	\$1,000
Cost per hour =\$25	
Total miscellaneous cost	\$0

c. High Seas Power Troller Salmon Permit [REMOVED]

No Federal salmon permits have been issued for fishing salmon in the EEZ off the coast of

Alaska during the past few years. The State of Alaska Interim Use and Limited Entry Power Troll licenses serve as a Federal permit. Only two Federal salmon permanent limited entry permits have been issued since 1979, and no new permit applications are anticipated.

d. Exempted fisheries permit (EFP).

An exempted fishing permit is issued by NMFS Alaska Region to allow groundfish fishing activities that would otherwise be prohibited under regulations for groundfish fishing. The EFPs are issued for limited experimental purposes to support projects that could benefit the groundfish fisheries and the environment. EFPs provide information not otherwise available through research or commercial fishing operations. Results may be used to supplement information obtained through research. Examples of past projects: the development of new gear types for an underutilized fishery and development of devices that reduce prohibited species bycatch.

A copy of the EFP must be on the vessel at all times during the project. An EFP typically is issued on the basis of a fishing year, and expires at the end of that year unless otherwise provided for under EFP regulations. This expiration requirement is necessary to avoid situations where information obtained from the fishing experiments might not be made available for several years, thereby denying the fishing industry information obtained from the experiment.

The process takes 6 to 12 months to issue an EFP, depending on the complexity of the project and Council's meeting schedule.

Application

Each EFP application, or exempted design:

- ◆ must include a statement of the purpose and goal of the experiment, including a general description of the arrangements for disposition of all species harvested under the permit.
- ◆ must include procedural information about the EFP project (*e.g.*, sampling procedures, the data and samples to be collected, and analysis of the data and samples).
- ◆ must consider fishing mortality. Mortality resulting from exempted fishing is outside of any total acceptable catch specification. Such additional mortality is authorized only if overfishing as defined in the GOA and BSAI FMPs would not occur.
- ◆ must be approved by the Alaska Fisheries Science Center (AFSC) before a permit may be issued. To speed up the process, the design should be worked out with the AFSC before submitting an EFP application to NMFS.
- ◆ must be presented at a Council meeting.
- ◆ must release all information obtained through completion of the EFP project to the public, usually through the use of progress reports and final reports

For each EFP application, NMFS:

- ◆ may write an environmental analysis to determine the impacts of the EFP prior to awarding the permit. This analysis would support the decision making and inform the public of the EFP project.
- ◆ must consult with the Council. This includes filing a *Federal Register* notice announcing receipt of the EFP application and another notice announcing approval of the EFP application, if obtained.
- ◆ will disseminate EFP project information when it becomes available and all information that is obtained through its own investigations. Through the release of information from NMFS and the EFP participants, other interested parties in the fishing industry could make use of information obtained and not duplicate efforts already expended by those who initially received an EFP.

Exempted fisheries permit (EFP)

Date of the application.

Name, mailing address, and telephone number of applicant

Statement of the purpose and goal of the experiment for which an EFP is needed, including a general description of the arrangements for disposition of all species harvested under the EFP.

Technical details about the experiment, including:

Amounts of each species to be harvested that are necessary to conduct the experiment, and arrangement for disposition of all species taken.

Area and timing of the experiment.

Vessel and gear to be used.

Experimental design (*e.g.*, sampling procedures, the data and samples to be collected, and analysis of the data and samples).

Provision for public release of all obtained information, and submission of interim and final reports.

Willingness of the applicant to carry observers, if required by the Regional Administrator, and a description of accommodations and work space for the observer(s).

Details for all coordinating parties engaged in the experiment and signatures of all representatives of all principal parties.

Vessel information for vessel to be used by the EFP (note: an EFP applicant need not be the owner or operator of the vessel(s)), including:

Vessel name.

Name, address, and telephone number of owner and master.

USCG documentation, state license, or registration number.

Home port.

Length of vessel.

Net tonnage.

Gross tonnage.

Signature of the applicant.

The Regional Administrator may request from an applicant additional information necessary to make the determinations. Any application that does not include all necessary information will be considered incomplete.

Exempted fishing Permit, Respondent	
Estimated number of respondents	2
Total estimated responses	2
Number of EFP per participant=1	
Total time burden (2 x 35 hr)	70 hr
Application of each permit=20 hr	
Final report=10 hr	
Each interim report, if required=5 hr	
Total personnel cost (\$25 x 70 hr)	\$1,750
Personnel cost per hour=\$25	
Total miscellaneous cost	\$9
Postage (\$4.50 x 2=9)	

Exempted fishing Permit, Federal Government	
Estimated total responses	2
Number responses per respondent=1	
Total time burden (165 x 2)	330 hr
Permit application,	
Interim and final reports= 165	
Total personnel cost	\$20,200
Regional staff = \$60 x 160 hr = \$9600 x 2 = \$19,200	
GC staff = \$100 x 5 hr = \$500 x 2 = \$1,000	
Total miscellaneous costs	\$11,707
AFSC preliminary review (\$1,000)	
Council Staff (\$2,175)	
Council members (\$3,730)	
Sound system (\$302)	
Travel, Council members (\$1,100)	
Travel, Advisory Panel (\$2,100)	
Travel, SSC (\$1,000)	
Miscellaneous (\$300)	

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the following paragraphs, the information gathered has utility. NOAA NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

The Federal fisheries and processor applications may be completed onscreen using fillable forms, downloaded, and printed from the NMFS Alaska Region website (<http://www.fakr.noaa.gov/ram/default.htm>).

4. Describe efforts to identify duplication.

No duplication exists with other information collections.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

The collection-of-information does not impose a significant impact on small entities.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

If the information were not collected for these permits, NMFS could not effectively monitor and manage the commercial harvests of groundfish species.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

No special circumstances exist.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Public comment was solicited in a Federal Register Notice (71 FR 03585, March 16, 2006), copy attached. No comments were received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payment or gift is provided under this program

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

The information collected is confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*). It is also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

The Privacy Act does apply to this collection-of-information, because the social security number is requested on a voluntary basis. The social security number is needed to avoid inappropriate release of data:

to distinguish between same names;

to ensure that the records go to the same person through the use of this personal ID;

to ensure that the confidential data of each operator is protected, when there are several operators on a vessel owned by a different individual
to provide a unique identifier to find records in the database, with mis-spellings and possible duplications, and
to prevent release of confidential data to the wrong person.

A System of Records notice for Permits and Registrations for NMFS of the Exclusive Economic Zone (EEZ) off the Coast of Alaska was published in the *Federal Register* on March 3, 2005.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

This information collection does not involve information of a sensitive nature, except that the social security number is requested (see item 10).

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

Total annualized estimated respondents: 886 down from 889. Total annualized estimated responses: 886, down from 899. Total annualized estimated burden: 378, down from 483 hr. Total estimated personnel cost: \$9,450, down from \$12,075.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).

Total estimated miscellaneous cost: \$ 1,335.

14. Provide estimates of annualized cost to the Federal government.

Total estimated responses: 886. Total estimated burden: 994 hr., up from 673 (EFP review now takes significantly more time). Total estimated personnel cost: \$36,800, up from \$ 31,438. Total miscellaneous costs: \$11,707.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

This action contains adjustments: the number of respondents for the exempted permit application is changed from 5 to 2, based on actual applications received and the hours reduced by 105. The permit application for salmon troll was removed, because no applications have been filed since 1979 (no burden was included in the 2003 renewal).

16. For collections whose results will be published, outline the plans for tabulation and publication.

The information obtained from the applications for Federal fisheries permits and Federal processor permits are not expected to be published for statistical use. Information resulting from issuance of EFPs will be made available to the public. NMFS anticipates that some of this

information will be in the form of statistical data.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

In accordance with OMB requirements, the control number and expiration date of OMB approval will be shown on the FFP and FPP applications. The EFP application does not have a form; required information may be submitted in any format.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

In accordance with OMB requirements, the certification statement will be shown on the FFP and FPP applications. The EFP application does not have a form; required information may be submitted in any format.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.



**APPLICATION FOR
FEDERAL FISHERIES PERMIT**

United States Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Alaska Region
Restricted Access Management
P.O. Box 21668
Juneau, Alaska 99802-1668
(800) 304-4846 toll free / 586-7202 in Juneau
(907) 586-7354 fax



NOTICE: Only persons who are U.S. Citizens are authorized to receive or hold a Federal Fisheries Permit.

All applicants who plan to participate in directed fisheries for Pacific cod, pollock, and/or Atka mackerel with any gear type other than jig gear, must also complete Block D.

If ownership of the vessel listed in Block A has changed or if this is a permit application for a vessel to which a Federal Fisheries Permit has never been issued, **a copy of the U.S. Coast Guard Abstract of Title or Certificate of Documentation must be included** with this application. Applicant must sign and date the application in Block E. See application instructions for more detailed information.

Is this application being submitted in order to amend an existing Federal Fisheries Permit? Yes No

If yes, please provide your current Federal Fisheries Permit number _____

If you are amending your application, refer to the "General Information" section of the attached instructions that specifies which sections of the application form must be completed in addition to the amendments being made.

**BLOCK A
OWNER INFORMATION**

1. Owner Name(s)

2. Business Mailing Address (street or P.O. Box, city, state, zip code)

3. SSN or Tax I.D. (SSN Voluntary)

4. Business Telephone Number

5. Business Fax Number

6. Business E-Mail Address (if any)

7. Managing Company Name (if any)

**BLOCK B
VESSEL INFORMATION**

1. Vessel Name

2. Home Port (city and state)

3. ADF&G Processor Code

4. Is this vessel a vessel of the United States? Yes No

5. U.S. Coast Guard Documentation
No. _____

6. ADF&G Vessel Registration
No. _____

7. Length Overall (LOA) _____ Ft.
Registered Length _____ Ft.

8. Gross Tonnage _____
Net Tonnage _____

9. Shaft Horsepower _____

**BLOCK C
PERMIT INFORMATION**

1. **AREA OF OPERATION** Check one or both areas of operation, as appropriate.

Gulf of Alaska Bering Sea/Aleutian Islands

2. **TYPE OF VESSEL OPERATION** Indicate below the type(s) of vessel operation you request in the federal groundfish fishery. A Federal Fisheries Permit may be issued for any combination of catcher vessel, catcher-processor, mothership, and/or tender vessel. In addition, a Federal Fisheries Permit may also be issued for a support vessel.

Check one or any combination of the following operation types that apply:

Catcher Vessel

Catcher/processor

Mothership

Tender Vessel (buying station)

A vessel permitted as a catcher vessel, catcher-processor, mothership, and/or tender vessel may conduct all operations authorized for a support vessel.

Or check:

Support Vessel

A vessel permitted only as a support vessel may not conduct activities as a catcher vessel, catcher-processor, mothership, and/or tender vessel.

3. **GEAR TYPES** (catcher vessels and catcher/processors only)

Check only the gear types used for groundfish fishing:

Trawl

Hook-and-line

Pots

Jig

Troll

Harvesting vessels (catcher and catcher/processor vessels) must complete Block D if you plan to participate in the directed fisheries for Pacific cod, pollock, and/or Atka mackerel with any gear other than jig gear.

4. **GOA INSHORE PROCESSING ENDORSEMENT** (Catcher/processors under 125' LOA only)

Catcher/processors under 125' LOA that wish to process GOA inshore pollock or GOA inshore Pacific Cod must apply for a GOA inshore processing endorsement by checking the box below. A catcher/processor with a GOA inshore processing endorsement is prohibited from processing more than 126 mt of GOA pollock and GOA Pacific cod, in the aggregate, during any reporting week. **Once issued, a GOA inshore processing endorsement cannot be rescinded for the duration of a fishing year.** See page 4 of the application instructions for further explanation.

GOA Inshore Processing Endorsement

**BLOCK D
SPECIES ENDORSEMENTS AND AMENDMENTS**

Indicate below whether you plan to participate in any of the following four directed fisheries with gear other than jig gear: (1) Pacific cod; (2) pollock; (3) Bering Sea/Aleutian Islands (BSAI) Atka mackerel; and (4) Aleutian Islands (AI) Atka mackerel Harvest Limit Areas (HLA). See application instructions for information regarding registration requirements for the directed Atka mackerel fisheries inside the HLA in the AI and participation requirements for these fisheries. Your selections will remain valid until you submit a new Federal Fisheries Permit application removing those endorsements by checking "Remove Endorsement(s)" boxes below. Vessels endorsed for these directed fisheries in the EEZ off Alaska are required to have on board and use a Vessel Monitoring System (VMS) while the directed fisheries for which the permit is endorsed are open, regardless of where the vessel is fishing at the time (including Alaska State waters) or what the vessel is targeting.

PACIFIC COD	POLLOCK	BSAI ATKA MACKEREL	AI HARVEST LIMIT AREA ATKA MACKEREL
<u>GEAR TYPE</u>	<u>GEAR TYPE</u>	<u>GEAR TYPE</u>	<u>AREA</u>
<input type="checkbox"/> Trawl	<input type="checkbox"/> Trawl	<input type="checkbox"/> Trawl	<input type="checkbox"/> Statistical Area 542
<input type="checkbox"/> Hook-and-Line	<input type="checkbox"/> Hook-and-Line	<input type="checkbox"/> Hook-and-Line	<input type="checkbox"/> Statistical Area 543
<input type="checkbox"/> Pot	<input type="checkbox"/> Pot	<input type="checkbox"/> Pot	<input type="checkbox"/> Both
<input type="checkbox"/> Remove Endorsement(s)	<input type="checkbox"/> Remove Endorsement(s)	<input type="checkbox"/> Remove Endorsement(s)	<input type="checkbox"/> Remove Endorsement(s)

**BLOCK E
APPLICANT SIGNATURE**

Under penalties of perjury, I hereby declare that I, the undersigned, completed this application and that the information contained herein is true, correct, and complete to the best of my knowledge and belief.

Applicant Name (please print or type)	Signature	Date
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Privacy Act Statement: Federal regulations at 50 CFR part 679 authorize collection of this information. This information is used to verify the identity of the applicant(s) and to accurately retrieve confidential records related to federal commercial fishery permits. Where the requested information is a Social Security number (SSN), disclosure is voluntary; in the event it is not provided, NMFS will assign a unique code that will identify the records.

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average 0.35 hours per response, including the time for reviewing the 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 any other aspect of this collection of information, including suggestions for reducing the burden, to NOAA, National Marine Fisheries Service, Alaska Region, Attn: Assistant Regional Administrator, Sustainable Fisheries Division, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

Before completing this form please note the following: 1) The NMFS may not conduct or sponsor this information request, and you are not required to respond to this information request, unless the form displays a currently valid OMB control number; 2) This information is mandatory and is required to manage commercial fishing effort in the GOA and BSAI under 50 CFR 679 and under 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et. seq.*); 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et. seq.*). It is also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.



INSTRUCTIONS TO THE APPLICATION
FOR
FEDERAL FISHERIES PERMIT



General Information

- ✓ Only U.S. Citizens are authorized to receive or hold a Federal Fisheries Permit.
- ✓ Complete a separate application for each vessel. Application forms and instructions are also available on the NMFS, Alaska Region web site at www.fakr.noaa.gov/ram.
- ✓ A copy of the U.S. Coast Guard Abstract of Title or Certificate of Documentation **must be included** with this application if ownership of the vessel listed in Block C has changed or if a Federal Fisheries Permit has never been issued using this vessel.
- ✓ Indicate whether or not you are amending your Federal Fisheries Permit. If you are amending your permit, enter the permit number where indicated and fill out Block A, the information you are changing, and sign and date the application in Block E.
- ✓ Type or print legibly in ink.
- ✓ Retain a copy of completed application for your records.
- ✓ Mail or deliver the completed application to:

**NMFS, Alaska Region
Restricted Access Management (RAM)
P.O. Box 21668
Juneau, Alaska 99802-1668**

Physical location: **Federal Building
709 W. 9th Street, Suite 713
Juneau, Alaska 99801**

Applications can be faxed to RAM at (907) 586-7354; however, permits **cannot** and **will not** be faxed back. The original, signed permit must be on board the vessel.

- ✓ If you have questions when completing the application, please call RAM at (800) 304-4846 (select option 2) or (907) 586-7202 (select option 2), check our web site at www.fakr.noaa.gov/ram, or e-mail your questions to RAM.Alaska@noaa.gov.

Federal Fisheries Permits are required for all vessels (including vessels fishing for groundfish, vessels processing groundfish, vessels tendering groundfish, and support vessels assisting other groundfish vessels):

- 1) used to fish for groundfish in the GOA or BSAI; or
- 2) that fish in the GOA or BSAI for any non-groundfish species and that are required to retain any bycatch of groundfish under 50 CFR Part 679. **Non-groundfish species include**, but are not limited to, halibut, crab, salmon, scallops, and herring.

Groundfish includes target species and the “other species” category specified annually under 50 CFR 679.20(a)(2).

Applicants for a Federal Fisheries Permit planning to participate in the directed fisheries for Pacific cod, pollock, or Atka mackerel fisheries using any gear type other than jig gear must complete Block D.

BLOCK A OWNER INFORMATION

1. Enter the full name(s) of the owner(s) of the vessel listed in Block B.

Note: If there is more than one owner, list the principal owner first. The permit will be issued to the first owner listed, with an *et al.* notation. The permit MUST be issued to the owner of the vessel, not to operators or lessees.

A copy of the U.S. Coast Guard Abstract of Title or Certificate of Documentation **must be included** with this application if ownership of the vessel used as a stationary floating processor listed in Block B has changed or if a Federal Processor Permit has never been issued using this vessel.

2. Enter your complete **permanent** business mailing address, including street or PO Box, state, and zip code. Your permit will be sent to this address. If you need to have your permit sent to a different address, please enter your **permanent** business address on the application and attach a note with your alternate address.
3. Enter your Social Security Number or Tax Identification Number.

Privacy Act Statement: Federal regulations at 50 CFR part 679 authorize collection of this information. This information is used to verify the identity of the applicant(s) and to accurately retrieve confidential records related to federal commercial fishery permits. Where the requested information is a Social Security Number (SSN), disclosure is voluntary; in the event it is not provided, NMFS will assign a unique code that will identify the records.

- 4-6. Enter the business telephone number, including area code, business fax number, and business e-mail address, if any, that are used by the vessel owner. It is very important that you provide a number where we can contact you, or where we can leave messages for you. If questions arise concerning your application and we are unable to contact you, issuance of your permit will be delayed.
7. Enter the name of the company, if other than the owner, that manages the operations of the vessel.

BLOCK B VESSEL INFORMATION

1. Enter the complete vessel name as displayed in the official documentation.
2. Enter the home port (city and state) as recorded in official documentation.
3. Enter ADF&G Processor Code.
4. Check whether the vessel is a vessel of the United States.
5. Enter U.S. Coast Guard documentation number (example: 566722).
6. Enter the 5-digit State of Alaska Department of Fish & Game (ADF&G) vessel registration number (example: 51233).

7. Enter the vessel's length overall (LOA) in feet and registered length in feet.

The **LOA** of a vessel means the centerline longitudinal distance, rounded to the nearest foot, measured between: (1) the outside foremost part of the vessel visible above the waterline, including bulwarks, but excluding bowsprits and similar fittings or attachments, and (2) the outside aftermost part of the vessel visible above the waterline including bulwarks, but excluding rudders, outboard motor brackets, and similar fittings or attachments (50 CFR 679.2).

8. Enter registered gross tonnage (U.S. tons) and net tonnage (U.S. tons) as stated in the official documentation.
9. Enter the shaft horsepower.

BLOCK C PERMIT INFORMATION

1. **Area of operation.** Check one or both areas of operation (GOA or BSAI) as desired.
2. **Type of Operation.** Indicate one or a combination of the types of vessel operation you request in the groundfish fisheries (see 50 CFR part 679.2 and 679.4(b)(3)).

Catcher Vessel - A vessel that is used for catching fish and that does not process fish on board.

Catcher/Processor - A vessel that is used for catching fish and processing that fish.

Mothership - A vessel that receives and processes groundfish from other vessels. Please note: If your vessel operates as a processor in Alaska State waters only, remains anchored, or otherwise remains stationary in a single geographic location while receiving or processing groundfish, your vessel is functioning as a stationary floating processor and you must complete a Federal Processor Permit application.

Tender Vessel (buying station) - A vessel that is used to transport unprocessed fish received from another vessel to a shoreside processor or mothership.

A vessel permitted as a catcher vessel, catcher-processor, mothership, and/or tender vessel may conduct all operations authorized for a support vessel.

Or check:

Support Vessel - Any vessel that is used in support of a permitted vessel, including, but not limited to, supplying a fishing vessel with water, fuel, provisions, fishing equipment, fish processing equipment or other supplies, or transporting processed fish.

A vessel permitted only as a support vessel may not conduct activities as a catcher vessel, catcher-processor, mothership, and/or tender vessel.

Recordkeeping and reporting requirements stipulated at 50 CFR part 679.5 must be followed. A logbook and appropriate forms may be obtained by contacting Sustainable Fisheries Division, NMFS, AKR by mail at P.O. Box 21668, Juneau, Alaska 99802-1668; or by calling 800-304-4846 (select option 3) or 907-586-7228; or by FAX at 907-586-7465.

Gear Type. If the permit request is for a catcher vessel or catcher/processor, indicate the gear type(s) used for groundfish operations.

3. GOA Inshore Processing Endorsement.

Catcher/processers under 125' LOA that wish to process GOA inshore pollock or GOA inshore Pacific cod must apply for a GOA inshore processing endorsement by completing No. 4 of Block C on the application. A catcher/processor with a GOA inshore processing endorsement is prohibited from processing more than 126 mt of GOA pollock and GOA Pacific cod, in the aggregate, during any reporting week. **Once issued, a GOA inshore processing endorsement cannot be rescinded for the duration of a fishing year.** It may be changed for the next fishing year by submitting an application for a permit amendment prior to the beginning of that fishing year.

For more information on the inshore/offshore regulations, contact Sustainable Fisheries Division toll free at (800) 304-4846 (select option #3) or (907) 586-7228.

Vessels holding the GOA inshore processing endorsement face additional operating restrictions (see 50 CFR 679.7).

BLOCK D PACIFIC COD, POLLOCK, ATKA MACKEREL ENDORSEMENTS AND AMENDMENTS

If you plan to participate in the directed fisheries for Pacific cod, pollock, and/or Atka mackerel with any gear other than jig gear, your Federal Fisheries Permit must be endorsed for these species by gear type used.

Vessels participating in these directed fisheries in the EEZ off Alaska are required to have on board and use a Vessel Monitoring System (VMS) while the directed fisheries for which the permit is endorsed are open, regardless of where the vessel is fishing at the time (including Alaska State waters) or what the vessel is targeting.

NMFS has implemented a system of “platoon” management for Atka mackerel fishing in Steller sea lion Harvest Limit Areas (HLA), as set forth in 50 CFR 679.20(a)(8)(iii), in statistical areas 542 and 543 (central and western AI). A semi-annual lottery performed by NMFS, Alaska Region will determine placement in a fishing group in either 542 or 543 in each of two seasons (A season and B season). Once an endorsement is elected, it remains valid until amended (or the permit expires or is revoked, suspended, etc.). If registered to fish Atka mackerel in the HLA in statistical areas 542 or 543, the vessel may not participate in any other groundfish fishery in the BSAI or GOA until their first assigned Atka mackerel directed fishery in the HLA is closed to directed fishing. Changes to the Atka mackerel fisheries registration must be received, in writing, by National Marine Fisheries Service, Restricted Access Management (RAM) by January 1 for “A” season and July 31 for “B” season.

BLOCK E APPLICANT SIGNATURE

The applicant must sign and date the application certifying that all information is true, correct, and complete to the best of his/her knowledge and belief. The application will be considered incomplete without this signature.

SPECIAL HANDLING OF PERMITS

Please allow at least 10 days for processing your permit. **Do not wait until right before an opening to apply for your permit**, as you may not receive it on time. You may FAX your permit application to us at

(907) 586-7354, but a permit **cannot and will not** be faxed back to you.

If you would like to have your permit sent by a method other than regular mail, please attach a note indicating a method, and follow the appropriate procedure below.

Express Mail. If you would like to have your permit sent to you by U.S. Postal Express Mail, determine from the table below the weight and dimensions of the appropriate documents. Send us an express mail envelope with the correct amount of postage prepaid or send express mail stamps UNATTACHED to an envelope. **NOTE:** If the express mail envelope you send is too small or the postage attached is less than the amount required, your permit and logbook will be sent to you by regular U.S. mail.

Other Express Carriers. If you would like to have your permit sent to you by a private express carrier, e.g., Federal Express, UPS, DHL, etc., submit your account number and name of carrier or a prepaid envelope with the permit application.

Logbooks and appropriate forms may be obtained by contacting the Sustainable Fisheries Division, NMFS, AKR by mail at P.O. Box 21668, Juneau, Alaska 99802-1668; by phone at 800-304-4846 (select option 3) or 907-586-7228; or by FAX at 907-586-7465.

	Dimensions (inches)	Weight (lb,oz)
Catcher vessel, trawl gear logbook	11 x 12	3.4
Catcher vessel, longline and pot gear logbook	11 x 15	4.0
Catcher/processor, trawl gear logbook	11 x 12	3.0
Catcher/processor, longline and pot gear logbook	11 x 15	3.6
Mothership logbook	11 x 12	3.0

(b) Federal Fisheries permit

(1) Groundfish.

No vessel of the United States may be used to fish for groundfish in the GOA or BSAI unless the owner first obtains a Federal fisheries permit for the vessel, issued under this part. A Federal fisheries permit is issued without charge.

(2) Non-groundfish.

A vessel of the United States that fishes in the GOA or BSAI for any non-groundfish species, including but not limited to halibut, crab, salmon, scallops, and herring, and that is required to retain any bycatch of groundfish under this part must obtain a Federal fisheries permit under this part.

(3) Vessel operations categories.

(i) A Federal fisheries permit authorizes a vessel to conduct operations in the GOA or BSAI as a catcher vessel, catcher/processor, mothership, tender vessel, or support vessel.

(ii) A Federal fisheries permit is issued to a vessel to function as a support vessel or as any combination of the other four categories (catcher vessel, catcher/processor, mothership, tender vessel).

(iii) A vessel permitted as a catcher/processor, catcher vessel, mothership, or tender vessel also may conduct all operations authorized for a support vessel.

(iv) A vessel permitted as a support vessel may not conduct activities as a catcher vessel, catcher/processor, mothership, and/or tender vessel.

(4) Duration.

(i) A Federal fisheries permit is issued on a 3-year cycle and is in effect from the date of issuance through the end of the current NMFS 3-year cycle, unless it is revoked, suspended, or modified under § 600.735 or § 600.740 of this chapter.

(ii) A Federal fisheries permit is surrendered when the original permit is submitted to and received by the Program Administrator, RAM Program, Juneau, AK.

(5) How do I obtain a Federal fisheries permit?

To obtain a Federal fisheries permit, the owner must complete a Federal fisheries permit application and provide the following information for each vessel to be permitted:

(i) New or amended application? Indicate whether application is for a new or amended Federal fisheries

permit and if revision, enter the current Federal fisheries permit number.

(ii) Owner information. Indicate the name(s), permanent business mailing address, business telephone number, business FAX number, and business e-mail address of the owner; and the name of any person or company (other than the owner) that manages the operations of the vessel.

(iii) Vessel information. Indicate the vessel name and homeport (city and state); U.S. Coast Guard (USCG) documentation number; ADF&G vessel registration number; ADF&G processor code; vessel's LOA (ft), registered length (ft), gross tonnage, net tonnage, and shaft horsepower; whether this is a vessel of the United States; and whether this vessel will be used as a stationary floating processor.

(iv) Area and gear information. Indicate requested/elected area(s) of operation. If a catcher/processor and/or a catcher vessel, the gear types used for groundfish fishing. If a mothership or catcher/processor operating in the GOA, choose inshore or offshore component.

(v) Signature. The owner or agent of the owner of the vessel must sign and date the application. If the owner is a company, the agent of the owner must sign and date the application.

(vi) Atka Mackerel, Pollock, and Pacific Cod Directed Fisheries.

(A) Indicate use of pot, hook-and-line, or trawl gear in the directed fisheries for pollock, Atka mackerel, or Pacific cod.

(B) Indicate directed fishing for Atka mackerel in the harvest limit area, as defined in § 679.2.

(6) Issuance.

(i) Except as provided in subpart D of 15 CFR part 904, upon receipt of a properly completed permit application, the Regional Administrator will issue a Federal fisheries permit required by this paragraph (b).

(ii) The Regional Administrator will send the Federal fisheries permit to the applicant with the appropriate logbooks, as provided under § 679.5.

(7) Amended application.

If the application for an amended permit required under this section designates a change or addition of a vessel operations category, the amended permit must

be on board the vessel before the new type of operations begins.

(8) Transfer.

A Federal fisheries permit issued under this paragraph (b) is not transferable or assignable and is valid only for the vessel for which it is issued.

(9) Inspection.

(i) An original Federal fisheries permit issued under this paragraph (b) must be carried on board the vessel whenever the vessel is fishing. Photocopied or faxed copies are not considered originals.

(ii) A permit issued under this paragraph (b) must be presented for inspection upon the request of any authorized officer.

(f) Federal processor permit

(1) Requirement.

No shoreside processor of the United States or stationary floating processor may receive or process groundfish harvested in the GOA or BSAI, unless the owner first obtains a Federal processor permit issued under this part. A Federal processor permit is issued without charge.

(2) How do I obtain a Federal processor permit?

To obtain a Federal processor permit, the owner must complete a Federal processor permit application and provide the following information for each shoreside processor facility or plant and stationary floating processor to be permitted:

(i) Permit application information. Indicate whether application is for a new or amended Federal processor permit and if a revision, the current Federal processor permit number.

(ii) Owner information. Indicate the name(s), permanent business mailing address, business telephone number, business FAX number, and business e-mail address of the owner; and the name of any person or company (other than the owner) who manages the operations of the shoreside processor or stationary floating processor.

(iii) Stationary floating processor information. Indicate the vessel name and homeport (city and state); USCG documentation number; ADF&G vessel registration number; ADF&G processor code; the vessel's LOA (ft), registered length (ft), gross tonnage, net tonnage and shaft horsepower; whether this is a vessel of the United States; and whether this vessel will be used as a stationary floating processor.

(iv) Shoreside processor information. Indicate the shoreside processor's name; name and physical location of facility or plant at which the shoreside processor is operating (street, city, state, zip code); whether the shoreside processor is replacing a previous processor at this facility; and if yes, name of previous processor; whether there are multiple processors at this facility; whether the owner named in paragraph (f)(2)(ii) of this section owns this facility; shoreside processor ADF&G processor code, business telephone number, business FAX number, and business e-mail address.

(v) Signature. The owner or agent of the owner of the shoreside processor or stationary floating processor must sign and date the application. If the owner is a company, the agent of the owner must sign and date the application.

(3) Issuance.

(i) Upon receipt of a properly completed permit application, the Regional Administrator will issue a Federal processor permit required by this paragraph (f).

(ii) The Regional Administrator will send the Federal processor permit to the applicant with the shoreside processor logbook, as provided under § 679.5.

(4) Duration.

(i) A Federal processor permit is issued for a 3-year period and remains in full force and effect from the date of issuance through the end of the current NMFS 3-year renewal cycle, unless it is revoked, suspended, or modified under § 600.735 or § 600.740 of this chapter.

(ii) A Federal processor permit is surrendered when the original permit is submitted to and received by the Program Administrator, RAM Program, Juneau, AK.

(5) Transfer.

A Federal processor permit issued under this paragraph (f) is not transferable or assignable and is valid only for the processor for which it is issued.

(6) Inspection.

(i) An original Federal processor permit issued under this paragraph (f) must be on site at the shoreside processor or stationary floating processor at all times. Photocopied or faxed copies are not considered originals.

(ii) A permit issued under this paragraph (f) must be presented for inspection upon the request of any authorized officer.

§679.6 Exempted Fisheries

§ 679.6 *Exempted fisheries.*

(a) *General.*

For limited experimental purposes, the Regional Administrator may authorize, after consulting with the Council, fishing for groundfish in a manner that would otherwise be prohibited. No **exempted** fishing may be conducted unless authorized by an **exempted** fishing permit issued by the Regional Administrator to the participating vessel owner in accordance with the criteria and procedures specified in this section. **Exempted fishing** permits will be issued without charge and will expire at the end of a calendar year unless otherwise provided for under paragraph (e) of this section.

(b) *Application.*

An applicant for an exempted fishing permit shall submit to the Regional Administrator, at least 60 days before the desired effective date of the exempted fishing permit, a written application including, but not limited to, the following information:

- (1) The date of the application.
- (2) The applicant's name, mailing address, and telephone number.
- (3) A statement of the purpose and goal of the experiment for which an exempted fishing permit is needed, including a general description of the arrangements for disposition of all species harvested under the exempted fishing permit.
- (4) Technical details about the experiment, including:
 - (i) Amounts of each species to be harvested that are necessary to conduct the experiment, and arrangement for disposition of all species taken.
 - (ii) Area and timing of the experiment.
 - (iii) Vessel and gear to be used.
 - (iv) Experimental design (e.g., sampling procedures, the data and samples to be collected, and analysis of the data and samples).

(v) Provision for public release of all obtained information, and submission of interim and final reports.

(5) The willingness of the applicant to carry observers, if required by the Regional Administrator, and a description of accommodations and work space for the observer(s).

(6) Details for all coordinating parties engaged in the experiment and signatures of all representatives of all principal parties.

(7) Information about each vessel to be covered by the exempted fishing permit, including:

- (i) Vessel name.
- (ii) Name, address, and telephone number of owner and master.
- (iii) USCG documentation, state license, or registration number.
- (iv) Home port.
- (v) Length of vessel.
- (vi) Net tonnage.
- (vii) Gross tonnage.
- (8) The signature of the applicant.

(9) The Regional Administrator may request from an applicant additional information necessary to make the determinations required under this section. Any application that does not include all necessary information will be considered incomplete. An incomplete application will not be considered to be complete until the necessary information is provided in writing. An applicant for an exempted fishing permit need not be the owner or operator of the vessel(s) for which the exempted fishing permit is requested.

(c) *Review procedures.*

(1) The Regional Administrator, in consultation with the Alaska Fishery Science Center, will review each application and will make a preliminary determination whether the application contains all the

§679.6 Exempted Fisheries

information necessary to determine if the proposal constitutes a valid fishing experiment appropriate for further consideration. If the Regional Administrator finds any application does not warrant further consideration, the applicant will be notified in writing of the reasons for the decision.

(2) If the Regional Administrator determines any application is complete and warrants further consideration, he or she will initiate consultation with the Council by forwarding the application to the Council. The Council's Executive Director shall notify the applicant of a meeting at which the Council will consider the application and invite the applicant to appear in support of the application, if the applicant desires. If the Regional Administrator initiates consultation with the Council, NMFS will publish notification of receipt of the application in the *Federal Register* with a brief description of the proposal.

(d) Notifying the applicant.

(1) The decision of the Regional Administrator, after consulting with the Council, to grant or deny an exempted fishing permit is the final action of the agency. The Regional Administrator shall notify the applicant in writing of the decision to grant or deny the exempted fishing permit and, if denied, the reasons for the denial, including:

(i) The applicant has failed to disclose material information required, or has made false statements as to any material fact, in connection with the application.

(ii) According to the best scientific information available, the harvest to be conducted under the permit would detrimentally affect living marine resources, including marine mammals and birds, and their habitat in a significant way.

(iii) Activities to be conducted under the exempted fishing permit would be inconsistent with the intent of this section or the management objectives of the FMP.

(iv) The applicant has failed to demonstrate a valid justification for the permit.

(v) The activity proposed under the exempted fishing permit could create a significant enforcement problem.

(vi) The applicant failed to make available to the public information that had been obtained under a previously issued exempted fishing permit.

(vii) The proposed activity had economic allocation as its sole purpose.

(2) In the event a permit is denied on the basis of incomplete information or design flaws, the applicant will be provided an opportunity to resubmit the application, unless a permit is denied because exempted fishing would detrimentally affect marine resources, be inconsistent with the management objectives of the FMP, create significant enforcement problems, or have economic allocation as its sole purpose.

(e) Terms and conditions.

The Regional Administrator may attach terms and conditions to the exempted fishing permit that are consistent with the purpose of the experiment, including, but not limited to:

(1) The maximum amount of each species that can be harvested and landed during the term of the exempted fishing permit, including trip limitations, where appropriate.

(2) The number, sizes, names, and identification numbers of the vessels authorized to conduct fishing activities under the exempted fishing permit.

(3) The time(s) and place(s) where exempted fishing may be conducted.

(4) The type, size, and amount of gear that may be used by each vessel operated under the exempted fishing permit.

(5) The condition that observers be carried aboard vessels operated under an exempted fishing permit.

(6) Reasonable data reporting requirements.

(7) Such other conditions as may be necessary to assure compliance with the purposes of the exempted fishing permit and consistency with the FMP objectives.

§679.6 Exempted Fisheries

(8) Provisions for public release of data obtained under the exempted fishing permit.

(f) Effectiveness.

Unless otherwise specified in the **exempted fishing** permit or superseding notification or regulation, an **exempted fishing** permit is effective for no longer than 1 calendar year, but may be revoked, suspended, or modified during the calendar year. Exempted fishing permits may be renewed following the application procedures in paragraph (b) of this section.

(g) Recordkeeping and reporting requirements.

In addition to the recordkeeping and reporting requirements in this section, the operator or manager must comply with requirements at § 679.5(a) through (k).

(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;

(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

(c) PROPOSED REGULATIONS.--Proposed regulations which the Council deems necessary or appropriate for the purposes of—

(1) implementing a fishery management plan or plan amendment shall be submitted to the Secretary simultaneously with the plan or amendment under section 304; and

(2) making modifications to regulations implementing a fishery management plan or plan amendment may be submitted to the Secretary at any time after the plan or amendment is approved under section 304.

Dated: March 10, 2006.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E6-3816 Filed 3-15-06; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Alaska Region Permit Family of Forms

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before May 15, 2006.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Patsy A. Bearden, (907) 586-7008 or patsy.bearden@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

Fishermen and processors wishing to participate in regulated fisheries in the Exclusive Economic Zone off the coast of Alaska must obtain a Federal Fisheries Permit, a Federal Processor Permit, or an Exempted Fisheries Permit. The application information is used to identify participants in the fishery, aid enforcement of fishery regulations, and analyze activity within the fisheries.

II. Method of Collection

Paper applications are required from participants, and methods of submittal include e-mail and facsimile transmission of paper forms.

III. Data

OMB Number: 0648-0206.
Form Number: None.

Type of Review: Regular submission.
Affected Public: Business or other for-profit organizations, individuals or households, and not-for-profit institutions.

Estimated Number of Respondents: 889.

Estimated Time Per Response: 21 minutes for Federal Fisheries Permit application; 21 minutes for Federal Processor Permit application; and 35 hours for Exempted Fisheries Permit application.

Estimated Total Annual Burden Hours: 483.

Estimated Total Annual Cost to Public: \$1,330.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: March 10, 2006

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. E6-3766 Filed 3-15-06; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Reporting Requirements for Commercial Fisheries Authorization Under Section 118 of the Marine Mammal Protection Act

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and

respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before May 15, 2006.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Patricia Lawson, (301) 713-2289 or at Patricia.Lawson@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

Reporting injury to and/or mortalities of marine mammals is mandated under section 118 of the Marine Mammal Protection Act. This information is required to determine the impacts of commercial fishing on marine mammal populations. This information is also used to categorize commercial fisheries into Categories I, II, or III. The participants in the first two categories have to be authorized to take marine mammals, while those in Category III are exempt from that requirement. All categories must report injuries or mortalities on a National Marine Fisheries Service form.

II. Method of Collection

Reports are required from participants, and methods of submittal include Internet, mail and facsimile transmission of paper forms.

III. Data

OMB Number: 0648-0292.

Form Number: None.

Type of Review: Regular submission.
Affected Public: Not-for-profit institutions; and business or other for-profit organizations.

Estimated Number of Respondents: 200.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 50.

Estimated Total Annual Cost to Public: \$0.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including