

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 08/06/2008

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

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 07/30/2008

ACTION REQUESTED: No material or nonsubstantive change to a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 200807-0648-014
AGENCY ICR TRACKING NUMBER:
TITLE: Northeast Region Permit Family of Forms
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0202
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: 11/30/2009 DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	15,851,230	38,348	3,800,391
New	15,851,230	38,348	3,800,391
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	0	0	0
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE: Terms of the previous clearance remain in effect.

OMB Authorizing Official: Kevin F. Neyland
Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Northeast Region Permit Family of Forms_dealer permitting separated out			50 CFR 648.9
Limited access permit application and renewal	NA	Herring limited access permit application	
Replacement/upgrade, permit history, permit appeals	NA	Herring replacement/upgrade permit application	
Haddock bycatch notification of landing			50 CFR 648.15
Georges Bank Cod Research Set-aside Total Allowable Catch			50 CFR 648.14
LOA for WGOM Closure Area Rod/Reel Haddock SAP Participants			50 CFR 648.14
Western Gulf of Maine Closure Area Rod/Reel Haddock Special Access Program VMS polling			50 CFR 648.14
WGOM Closure Area Rod/Reel Haddock SAP Area and Days and Sea Declaration			50 CFR 648.14
WGOM Closure Area Rod/Reel Haddock SAP Observer Notification			50 CFR 648.14
Herring Vessel Observer Program Notification			50 CFR 648.14
Herring Vessel Office of Law Enforcement Landings Notification			50 CFR 648.14
Vessels Standing by Entangled Whales - Notification			50 CFR 648.14
DAS Credit for Standing By Entangled Whale			50 CFR 648.14
Northeast Region Vessel Monitoring: Position Reporting			50 CFR 648.9
Northeast Region Vessel Monitoring: Request for Exemption			50 CFR 648.9
Northeast Multispecies Observer Coverage			50 CFR 648
Expedited submission of proposed SAPs			50 CFR 648
NE Multispecies VMS Power Down Exemption	NA	VMS Powerdown Exemption Request	50 CFR 648

List of ICs

IC Title	Form No.	Form Name	CFR Citation
NE Multispecies Days at Sea Transfer Program	NA	Application to Permanently Transfer NE Multispecies Days at Sea	
NE Multispecies Automated VMS Polling of Vessel Position - Category B DAS Pilot Program and Operational Costs			50 CFR 648
Multispecies Area and DAS Declaration			50 CFR 648
NE Multispecies Proposed Sector Allocation			50 CFR 648
Northeast Region Dealer Permitting	NA	Federal Northeast Region Seafood Dealer: Initial Dealer Permit Application	

PRA JUSTIFICATION – VMS POWER DOWN EXEMPTION REQUEST FORM
OMB CONTROL NO. 0648-0202

The existing form has been revised to accurately reflect current power down regulations, and the format has been improved for easier downloading and reading.

The changes are not expected to increase the public burden to complete the form beyond the five (5) minutes approved for the existing form.

1. Instructions.

- a. Added reference to the 72-hour power down provision per 50 CFR 648.9(c)(2)(A). Revised the format slightly in bulletized format to clearly list the 72-hour (out of the water) and existing 30-day (dock/mooring) power down conditions.
- b. The 30-day condition was clarified to include those fisheries for which the exemption is authorized by regulation (50 CFR 648.9(c)(2)(B)).
- c. Added the National Marine Fisheries Service (NMFS), Office of Law Enforcement (OLE) fax number to add an alternative method for submission of the power down application (50 CFR 648.9(c)(2)(D)(ii)).
- d. Added the “Vessel Monitoring System (VMS) Team” to the OLE address as this group processes power down applications.

2. Completing the form.

- a. No new information collection requirements were added.
- b. The format for providing information was changed/improved by directing the user to select one of the two power down options described in the preceding instructions. Option 1 requests the shipyard address which fulfills the existing requirement for the “vessel port location” to provide "sufficient information to determine that the vessel will be out of the water for more than 72 hours," as required by the regulations. Again, to assist the user in selecting the correct option, Option 2 reminds the user of those permits authorized to request this power down exemption.
- c. The revised form removes the optional “Reason for VMS Power Down” field in the earlier form and replaces this field with Options 1 and 2, as described above.

3. Note. Removed the current statement allowing a vessel to leave port during the exemption period for purposes other than engaging in fishing. This action is not specifically supported by the regulations.

4. Format. In addition to the improved formatting changes addressed above, the National Oceanic and Atmospheric Administration (NOAA) logo was moved from the center to the top of the page for better visibility of the text. Also, it is now easier for a user to copy the form and fill it out without the distracting logo.



Vessel Monitoring System Power Down Exemption Request

Regulations implementing the requirements for the vessel monitoring system (VMS) within the National Marine Fisheries Service (NMFS) Northeast Region allow for vessels to be exempt from the requirement to transmit the vessel's location at all times if one or more of the following conditions are met:

- (1) The vessel will be continuously out of the water for more than 72 consecutive hours.
- (2) A vessel with a valid multispecies limited access, scallop limited access or surfclam/ocean quahog permit (only) remains at the dock/mooring and does not engage in any fisheries for a minimum period of 30 consecutive days.

Vessel owners or operators may sign out of the VMS program by first obtaining a VMS 'Letter of Exemption' from the Regional Administrator. To obtain this exemption letter, fill out the appropriate information below and mail or fax (978-281-9317) this form to: **National Marine Fisheries Service, Office of Law Enforcement (OLE), VMS Team, 1 Blackburn Drive, Gloucester, MA, 01930.**

Vessel: _____ **Permit #** _____ **Official #** _____

Exemption Period: Date VMS to be Turned Off: _____; **Date VMS to be Turned On:** _____

Check either Option (1) or Option (2) below, and complete the required information:

___ **Option (1): Vessel will be out of the water for more than 72 consecutive hours.**

Ship Yard and address: _____

___ **Option (2): Vessel will remain at the dock/mooring and not engage in any fisheries for a minimum period of 30 consecutive days. (Note: This option is only available to multispecies limited access, scallop limited access and surfclam/ocean quahog permit holders who do not hold more restrictive VMS permits).**

Port Location: _____

NOTE: The VMS unit must remain operational until a Letter of Exemption from the Regional Administrator is received to turn off a vessel's VMS unit. Upon receipt of the Letter of Exemption, the vessel owner/operator may discontinue VMS operation for the period requested above. The Letter of Exemption must be on board the vessel at all times. Vessel owners/operators may request changes to the time period for this exemption through a written request to the Regional Administrator, provided the minimum period is met.

This form is required to obtain approval for a vessel to turn off their VMS unit consistent with the power down exemption regulations at 50 CFR 648.9(c)(2) and to restart VMS operation. Making a false statement on this form is punishable by law.

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.

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 the data needed, and completing and reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden estimate or any other aspect of this collection of information to NMFS, 1 Blackburn Drive, Gloucester, MA, 01930. OMB Control Number 0648-0202. OMB Expiration Date 11/30/2009.