

# NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 04/23/2007

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 04/23/2007

ACTION REQUESTED: Revision of a currently approved collection  
TYPE OF REVIEW REQUESTED: Regular  
ICR REFERENCE NUMBER: 200704-0648-004  
TITLE: Atlantic Hagfish Fishery Collection of Information  
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change  
OMB CONTROL NUMBER: 0648-0555

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: 04/30/2010

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	0	0	0
New	62	2	1
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	62	2	1
Change due to Agency Adjustment	0	0	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
Federal Northeast Seafood Dealer Initial Permit Application	NOAA 58-5	Federal Northeast Seafood Dealer Initial Permit Application	
Atlantic Hagfish Observer Provider			50 CFR 648.7

# 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, 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  
ATLANTIC HAGFISH FISHERY COLLECTION OF INFORMATION  
OMB CONTROL NO.: 0648-xxxx**

**INTRODUCTION:**

This submission requests Office of Management and Budget (OMB) approval of the information collection requirements associated with an information collection pilot program on the New England hagfish (hagfish) fishery. Specifically, this clearance is for hagfish dealer permitting and observer requirements. Electronic dealer and processor reporting requirements will also be revised as a result of the hagfish information collection program and submitted for clearance under OMB Control Numbers 0648-0229 and 0648-0018, respectively. This collection of information for the hagfish fishery is being proposed under the provisions of section 402(a) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), which allows for the collection of information on a fishery prior to its regulation under a Fishery Management Plan (FMP). A request for an information collection on Atlantic hagfish was received by the New England Fishery Management Council (Council) on October 3, 2006. This collection of information may become permanent through the development and implementation of the Atlantic hagfish FMP.

This information collection fulfills the requirements under section 402(a) of the Magnuson-Stevens Act (Attachment 1- U.S.C. 16 1881a). This data collection program would continue only until an FMP is implemented (presumably sometime in 2008), and would involve a limited number of dealers and vessels (i.e., there are 2 hagfish dealers and 5 hagfish vessels known to participate in the hagfish fishery at this time).

**New collections that will increase the annual budget**

The annual budget would increase slightly for the Northeast Region Permit Family of Forms (OMB Control No.: 0648-0202), as per the hagfish collection of information observer coverage and dealer permit requirements.

**A. JUSTIFICATION**

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

Under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Secretary of Commerce has responsibility for the conservation and management of marine fishery resources off the coast of the U.S. The majority of this responsibility has been delegated to the Regional Fishery Management Councils and NOAA Fisheries Service. The New England Fishery Management Council (Council) develops management plans for fishery resources in New England. In order to develop appropriate management measures and to better understand the various aspects of a fishery that has been unregulated, section 402(a) of the Magnuson-Stevens Act allows NOAA Fisheries Service to collect information prior to development and implementation of a FMP.

The Atlantic Hagfish fishery is an unregulated fishery that relies on revenues from the export of whole frozen hagfish product overseas, primarily to South Korea. In recent years, this fishery,

which is prosecuted primarily off the coast of Gloucester, MA, has changed from an inshore fishery comprised of small vessels to an offshore fishery that consists of large vessels. According to reports from a workshop that was held to elucidate the challenges in collecting information on this fishery, the reason for this change in the way the fishery is being conducted is that the fishery has experienced localized depletion in nearshore waters necessitating movement to areas not historically harvested for hagfish.

A control date of August 28, 2002, has been reaffirmed to forewarn participants that the Council and National Marine Fisheries Service (NMFS) will be considering the management of hagfish in the future. The Council has decided to prioritize the management of hagfish and to begin development of an FMP in 2007. The Northeast Regional Office's Fisheries Statistics Office (FSO) determined through their research of this fishery that five vessels on the U.S. eastern seaboard participate in the hagfish fishery, and all these vessels are currently required to provide catch information on their Fishing Vessel Trip Reports (FVTRs). Thus, vessel landings information is already being captured in existing databases (hagfish dealer reporting through this information collection will revise 0648-0229). In addition, due to a relative equilibrium between supply and demand—the driving force being a South Korean market for hagfish meat – there is stability in terms of participation in the NE hagfish fisheries that will likely remain unchanged. However, while the market forces are understood, there remains an inability to obtain information on new entrants to the fishery, verify vessel-level data, sub-sample the catch and collect basic fleet information on the fishery. Therefore, dealers will be required to obtain Federal hagfish dealer permits so that NMFS can obtain first purchase information on hagfish landings to evaluate the biological, economic, and social implications of future management measures. Also, vessel owners/operators who intend fish for, catch, and/or land hagfish taken in or from the Exclusive Economic Zone (EEZ) will be required to take an observer on board their vessel when requested in order to sample the catch and collect basic fleet information. This information collection should enable the Council and NMFS to proceed with the development of a management plan for hagfish.

**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.**

The information requested would be used by several offices of NMFS and the Council in its development of the Hagfish FMP and to ensure that once implemented, the requirements for monitoring the fisheries are effective and enforceable. Social and economic data will be used to provide descriptive and behavioral information on the hagfish fishery and to provide estimates of the value of this important export fishery.

**Observer requirement**

Under the Atlantic hagfish information collection pilot program, any vessel owner/operator that intends to fish for, catch, or land hagfish taken in or from the EEZ would be required take an observer when requested to do so. Hagfish vessel owners would be required to call to arrange deployment of observers on their vessels. These requests are made at the discretion of the Regional Administrator for the purpose of monitoring fishing activities, collection of data, and compliance with pilot program requirements. An observer is necessary because of the high discard rates (culling) that have been reported to occur in the hagfish fishery at-sea due to

rejection of the live hagfish product at the docks and because the proportion of the catch that is rejected by the dealer and later discarded at sea is not measured. The information collected by observers may also be used to verify the information received by vessels through the FVTRs.

### **Dealer/Processor Permit Applications**

Dealers that want to purchase/sell hagfish caught in Federal waters must have a hagfish-specific Federal dealer permit. Hagfish dealers will be required to obtain an initial dealer permit upon implementation of the hagfish information collection requirements and to renew the permit annually. The dealer permit requirement ensures complete reporting from hagfish dealers. Reports furnished by permitted dealers provide important information on the volume, value, and distribution of value, at the point of first purchase.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with National Oceanic and Atmospheric Administration (NOAA) standards for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. Basic fleet information is provided in aggregate statistical form (and without identifying the source of data, i.e., vessel name, owner, etc.). The information collection requirements described herein are designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and 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.**

Catch data will be collected from observations taken at sea, on hagfish fishing boats, and sales transactions made at the dock. Observer data will be processed and compiled using computer systems. The catch data summarizes the actual fishing event/transaction that just occurred.

Federal Northeast seafood dealer initial permit applications can be downloaded at <http://www.nero.noaa.gov/permits/#Dealer>

### **4. Describe efforts to identify duplication.**

NMFS is aware of all related fishery management activities and since the hagfish fishery is currently an unregulated fishery, the information collection requirements do not duplicate any in existence.

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

The proposed collection of information requirements will not have a significant impact on small entities. Only the minimum data to meet the requirements of the above identified data needs are requested from all participants. The observer requirements will be detailed to the respective vessel owners/operators prior to deployment in order to facilitate the process. Permit



information and all initial permit applications are posted on the NE Regional Office's (NERO) web site. Posting such information on the internet makes it widely available to the public, thereby reducing both public and administrative burden. Since all of the respondents are small businesses, separate requirements based on the size of the business have not been developed.

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

The observer requirements to be implemented through the pilot hagfish information collection program is intended to improve upon the quality and quantity of information currently available on the hagfish fishery resource and fishery operations. Since there is currently no management program for this fishery, and consequently no permitting or reporting requirements, there is considerable uncertainty regarding the actual level of hagfish landings. Moreover, the level of discards and discard mortality of hagfish culled at sea in response to a rejection by the dealer in port is unknown. Specifically, the information provided by the hagfish information collection program participants would help NMFS and the Council shape future hagfish management measures to reflect the unique aspects of this fishery and its interaction with other Federally-managed fisheries. Without this information, management measures may not capture accurately the geographic and seasonal aspects of this fishery which help to characterize its demand in overseas markets and ensure that it may be sustained in future years. Increased knowledge of this fishery may also help managers and scientists understand the factors that contribute to this species' localized depletion. Localized depletion if left to continue may lead to increased economic impacts, as well overall depletion of the species. Therefore, these data are critical to the development of a Hagfish FMP. In addition, hagfish have been collected in limited numbers throughout the 40 years of the New England Fisheries Science Center (NEFSC) groundfish trawl survey. These NEFSC surveys provide the best available stock abundance information, but none of the surveys cover the entire range of hagfish habitat, which extends from depths of 25 m to greater than 1,000 m.

Dealer permits for hagfish vessels will ensure that the data collection covers the entire fishery and any new dealer entrants. Reports furnished by permitted dealers provide important information on the volume, value, and distribution of the hagfish resource at the point of first purchase.

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

There are no special circumstances associated with this proposed rule that would require the collection of information to be conducted in a manner inconsistent with OMB guidelines.

**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.**

At the September 2006 Council meeting, the Council voted to recommend that NMFS conduct a pilot information collection program on hagfish. In addition, NMFS received feedback from industry representatives on the fishery's current operations and in doing so they helped contribute to the development of the proposed information collection requirements. The information collections contained in this submission are part of a proposed rule, RIN 0648-AU80, scheduled to publish in October, 2006. Once public comments have been considered, a final rule outlining the measures that would be implemented, as modified by public comment, would be published in the Federal Register.

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

Neither payments, nor gifts are given to the respondents of this information collection.

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

All data would be handled in accordance with NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics, and would not be released for public use except in aggregate statistical form (and without identifying the source of data, i.e., vessel name, owner, etc.). In addition, any information submitted in support of the hagfish information collection pilot program implemented by NMFS, would be considered confidential and would not be disclosed except as provided in section 402(b) of the Magnuson-Stevens Act.

**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.**

There are no questions of a sensitive nature.

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

A summary of this burden estimate can be found in Table 1.

There are approximately 5 active participants in the hagfish fishery that would be subject to the information collection's observer coverage requirements. Responses to requests to carry an observer are estimated at 2 minutes per request. The estimated annual time to comply with the observer requirements would be 2 hours (12 responses x 5 respondents) x 2 minutes/response).

There are approximately 2 dealer/processors that currently participate in the hagfish fishery. While one of these dealers has a Federal dealer permit to purchase federally-regulated species, both participants will be required to obtain a Federal dealer permit to purchase hagfish. Initial dealer permit applications take an estimated 15 minutes to complete, while preprinted dealer permit renewal forms require an estimated 5 minutes to complete. The estimated annual time to comply with the dealer permit requirement would be 30 minutes for an initial application and 10 minutes for a renewal application (2 responses x 15 minutes per response; 2 responses x 5 minutes per response, respectively), with a total annualized burden of 14 minutes.

Total annualized burden for the two requirements would be 2.24 (2) hours.

**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).**

The cost burdens to the public associated with the measures proposed are summarized in Table 1 and described in further detail below.

No special equipment or technology is needed to comply with the reporting requirements reflected in this submission. Respondents will have the option of electing to use the on-line services associated with applying for the hagfish-specific dealer permit. The only cost associated with this collection is the cost of postage for submitting the initial/renewal dealer permit applications.

The annual postage fees for the dealer applications for the permit applications/renewals would be \$0.78 (\$0.39 x 2).

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

A full summary of the cost to the Federal Government associated with this collection of information can be found in Table 1.

The cost calculations for observer deployment are based on \$25/wage and overhead value for the Government. Assuming that each observation takes 2 minutes to complete and we expect no more than 3 trips per quarter for a total of 12 trips for the complete time that the collection of information will be in place. The annualized cost of processing observer reports is estimated to be \$10.00 (\$25/hour x (0.033 hours x 12 trips).

The estimated average cost to the Federal Government for issuance of a dealer permit is \$33/permit, including labor, printing, distribution, computer time, and handling. The annualized burden is based on one response per year for each of the three respondents, or \$99 (\$33 x 3).

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

No program changes or adjustments relate to this collection of information as this is a new collection.

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

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 and the annual Stock Assessment, and Fishery Evaluation (SAFE) Report prepared by the Council for the hagfish fishery. 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. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

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

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

All instances of this submission comply with 5 CFR 1320.9.

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

No statistical methods are employed in the information collection procedures.

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

Requirement	# of Entities	Items Per Entity	Total # of Items	Response Time	Total Burden Time	Cost to:	
						Public (labor) <sup>(1)</sup>	Govt. <sup>(2)</sup> <sub>(3)</sub>
<b>Observer Coverage</b>							
Year 1 FY 2007	5	12	60	2 minutes	2 hours	\$0.00	\$49.50
Year 2 FY 2008	5	12	60	2 minutes	2 hours	\$0.00	\$49.50
Year 3 FY 2009	5	12	60	2 minutes	2 hours	\$0.00	\$49.50
<b>3 Year Average Burden</b>	<b>5</b>	<b>12</b>	<b>60</b>	<b>2 minutes</b>	<b>2 hours</b>	<b>\$0.00</b>	<b>\$49.50</b>
<b>Dealer Permit (Initial and Renewal)</b>							
Year 1 FY 2007 (Initial)	2	1	2	15 minutes	30 minutes	\$0.78	\$99.00
Year 2 FY 2008 (Renewal)	2	1	2	5 minutes	10 minutes	\$0.78	\$99.00
Year 3 FY 2009 (Renewal)	2	1	2	5 minutes	10 minutes	\$0.78	\$99.00
<b>3 Year Average Burden</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>7 minutes</b>	<b>14 minutes</b>	<b>\$0.78</b>	<b>\$99.00</b>
<b>Total</b>	<b>7</b>		<b>62</b>		<b>2.24 (2) hours</b>	<b>\$0.78</b>	<b>\$148.50</b>

(1) The cost to the public is for postage to mail the applications and is based on \$0.39 per application.

(2) The cost to the Government for observer coverage is estimated to be \$25 / burden hour

(3) The cost to the Government for permit application processing is estimated to be \$33/entity



**NATIONAL MARINE FISHERIES SERVICE**  
Northeast Regional Office / Fisheries Statistics Office



**Application Instructions**  
**Federal Fisheries Dealer Permit**

Mail the completed application packages to: National Marine Fisheries Service (NOAA Fisheries Service), Northeast Permits Operations, One Blackburn Drive, Gloucester, MA 01930-2298. **Note:** There is a 30-day processing period for all application packages. This 30-day processing period begins when a **correct and complete** application package is received in the NMFS Northeast (NE) Permits Operations Office. Failure to provide the required information will delay processing of your dealer permit.

**For further information, call Northeast Permits Operations at (978) 281-9370**

➤ **Section 1 - Dealer Information**

If you already have a NE dealer permit, enclosed is a pre-printed application, which is partially completed for you.

If you are a new seafood dealer and have not been issued a NE dealer permit previously, an initial NE dealer permit application is enclosed.

Before submitting your application, review the dealer information placed in Section 1 to ensure it is correct. Make any corrections on the lines provided. It is important to include your Southeast Dealer Permit Number in Section 1 if you have been issued a dealer permit by the Southeast Region of NOAA Fisheries Service.

➤ **Section 1A - Additional Dealer Information**

You must provide the address of each place of business where you purchase or receive the regulated species for commercial purposes.

If regulated species are purchased or received for commercial purposes at more than one place of business, each address must be listed on the application. Space is available on the back of the dealer permit form for the required listing of additional addresses.

➤ **Section 2 - Selected Fisheries**

If not already marked, place an 'X' next to each of the fisheries for which you are requesting a Federal Fisheries Dealer Permit. Please note: Atlantic Hagfish has been added to the list of fisheries for purposes of a one-time pilot study.

➤ **Section 3 - Applicant's Signature**

Before mailing, carefully review the application form for accuracy and completeness. Sign and date the application in Section 3 and return it to the address listed above.



**United States Department of Commerce  
National Oceanic & Atmospheric Administration  
Fisheries Statistics Office/Northeast Permits Operations  
One Blackburn Drive  
Gloucester, MA 01930-2298**

**Federal Northeast Seafood Dealer  
Initial Dealer Permit Application**

**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, if mackerel processing will be done aboard a vessel)

If regulated species are purchased or received for commercial purposes at more than one place of business, 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"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*\* (see note in Section 1)

**SECTION 3 - OWNER'S NAME AND 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.

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

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

**SECTION 1A - ADDITIONAL DEALER INFORMATION.** If regulated species are purchased or received for commercial purposes at more than one place of business, 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: \_\_\_\_\_

**For further information, call Northeast Permits Operations at (978) 281-9370**

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

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.

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. 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 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.



## Corporations and Partnership Information

### Corporations

All dealer corporations must submit **with their initial application** a copy of the certificate of incorporation, showing officers and shareholders owning 25% or more of the shares of the corporation. In addition, **each year** the corporation must submit current information listing all current officers, along with their addresses, and shareholders owning 25% or more of the shares of the corporation, along with their addresses.

### Partnerships

If your business is a partnership, you must submit a copy of the partnership agreement **with your initial application**. In addition, **each year** the partnership must submit the names and addresses of all current partners.

### Sole proprietorships

If your business is a sole proprietorship, you must submit, **with your initial application**, a statement in writing that you are a sole proprietorship.

Failure to provide this information will delay processing of your dealer permit.

## Dealer Reporting

An application is complete when all requested forms, information, and documentation have been received, and the applicant has submitted all applicable reports specified in the Federal regulations including dealer electronic weighout reports and processed products reports [CFR § 648.7 and § 635.5]. All dealers must submit detailed purchase reports electronically, with the exception of dealers holding only a federal Northeast dealer permit for American lobster and/or Atlantic tunas. Atlantic tuna dealers who purchase or receive bluefin tuna have separate reporting requirements. Dealers who purchase Atlantic hagfish will also have separate reporting requirements in accordance with the information collection pilot program requirements. Processors who have processor or dealer permits must complete and submit to NOAA Fisheries Service an annual processed products report. Atlantic hagfish processors will be required to report their processing activities for the length of the pilot program.

Electronic dealer reports must contain all species, including, but not limited to, all Northeast managed species, as well as all non-bluefin tunas, sharks, swordfish and Atlantic hagfish. Failure to submit the reports required under either CFR § 648.7 or § 635.5 may bar issuance of any Northeast dealer permit (except for American lobster). In addition, failure to report in an accurate and timely fashion may result in enforcement action being taken. If you have any questions concerning your compliance with the reporting regulations for Northeast managed species [CFR § 648.7], please contact your local NMFS Field Office (list enclosed). Questions concerning reporting for bluefin tuna [CFR § 635.5], should be directed to the Highly Migratory Species Office at (978) 281-9140.

**Excerpts from Magnuson-Stevens Fishery Conservation and Management Act,  
Public Law 94-265, as amended through October 11, 1996**

**J.Feder version (12/19/96)**

**104-297**

**SEC. 402. INFORMATION COLLECTION<sup>7</sup> 16 U.S.C. 1881a**

**(a) COUNCIL REQUESTS.**--If a Council determines that additional information (other than information that would disclose proprietary or confidential commercial or financial information regarding fishing operations or fish processing operations) would be beneficial for developing, implementing, or revising a fishery management plan or for determining whether a fishery is in need of management, the Council may request that the Secretary implement an information collection program for the fishery which would provide the types of information (other than information that would disclose proprietary or confidential commercial or financial information regarding fishing operations or fish processing operations) specified by the Council. The Secretary shall undertake such an information collection program if he determines that the need is justified, and shall promulgate regulations to implement the program within 60 days after such determination is made. If the Secretary determines that the need for an information collection program is not justified, the Secretary shall inform the Council of the reasons for such determination in writing. The determinations of the Secretary under this subsection regarding a Council request shall be made within a reasonable period of time after receipt of that request.