

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 03/10/2009

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 03/10/2009

ACTION REQUESTED: No material or nonsubstantive change to a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 200903-0648-005
AGENCY ICR TRACKING NUMBER:
TITLE: Pacific Whiting Vessel License
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0583

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: 01/31/2012

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	44	42	26,419
New	44	32	26,419
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	-10	0
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: Kevin F. Neyland
Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Pacific Whiting Vessel License Application	NA	Pacific Whiting Vessel License Application	
Pacific Whiting Vessel License revision to information			50 CFR 660

JUSTIFICATION STATEMENT: Changes to Pacific Whiting Vessel License Application Form

We are requesting minor changes to the Pacific Whiting Vessel License Application form. This form was included in a Paperwork Reduction Act (PRA) package that recently was pre approved (OMB Control Number 0648-0583, expiration date 01/31/2012). On the revised form, we have highlighted in red those items that have been added. All of the changes are found in Section C.

In Section C, the applicant is asked to provide information that demonstrates that the vessel named in Section A meets the qualification standards for one or more of the four whiting fishery sectors (catcher vessels delivering to a shoreside facilities, mothership, catcher vessel delivering to mothership or catcher-processor vessel). For each of the applicable sectors, the applicant was previously requested to provide the following information:

Year of landing

Total Amount of whiting landed/delivered/received/processed/caught for the year

The applicant was requested to provide supplemental documents (i.e.; fish ticket, observer report, delivery report) to verify the above information.

The revised version of the form asks for the following:

Total amount of whiting landed/delivered/received/processed/caught for one landing

The specific date (including year) of the landing/delivery/receipt/catch/processing

The name/vessel registration number of the vessel delivering to the mothership

In the case of catcher vessels delivering to shoreside facility, the name of the company and its location and the fish ticket number and state of issuance

In the case of motherships, the name and vessel documentation number for the vessel delivering whiting

There are two reasons for asking for these changes. First, in reconsidering the information requested and the qualification standard, we realized that only one legal landing/delivery/receipt/catch or process instance involving any amount of whiting in a qualifying year is sufficient to meet the qualifying requirement. We realized that asking for total amounts of whiting caught/delivered/caught or processed in a year and supplemental documentation supporting that total was excessive.

Second, after further review of the application form, we realized that certain key information on the supplemental document may not be represented on the form. We believe it is important to have key document information printed by the applicant on the application form to help staff verify exactly what is on the actual supplemental document. We anticipate that some of the supplemental documents may be copies of originals and hand written and as such, may be difficult to read. More importantly, the printed information on the form provided by the applicant becomes a certified statement of how the vessel specifically met the qualifying criteria. The applicant will be required to take the additional information required from the supplemental document (i.e. fish ticket) and print it on the application form. The respondent will not be required to spend extra time to research or do additional calculation.

The fact that the applicant does not have to calculate the amount of whiting that was caught, delivered or processed in one year should reduce the amount of time required by the applicant to fill out the form. We estimate that with this change, the form will now take 45 minutes, rather than one hour, to complete. With an annualized number of 40 permit applications, this will save a total of 10 burden hours ($40 \times 45 \text{ minutes} / 60 \text{ minutes} = 30 \text{ hours}$).

UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070



PACIFIC COAST GROUND FISH

Phone: (206) 526-4353 Fax: (206) 526-4461 www.nwr.noaa.gov

INSTRUCTIONS

Please complete one application for each vessel you wish to qualify for a Pacific Whiting Vessel License.

SECTION A – Sector Qualification: Designate which sector(s) endorsement the vessel qualifies for in the Pacific Whiting fishery.

SECTION B - Vessel Information/Vessel Owner Information/Certification: Provide the current vessel name and vessel official number (USCG documentation number). If the vessel is registered to Pacific Coast Groundfish Limited Entry Permit, please include the permit number. Please provide the vessel owner name (as registered with USCG), the vessel owner business address (street or P.O. Box), city, state, and zip code, and business phone number and fax number.

An authorized representative of the vessel owner must sign and date the application in the presence of a notary. Please print the name of the individual signing the application. The application must be notarized by notary public registered in the United States. If the applicant fails to sign, date and have the document notarized, NMFS will consider the application to be incomplete and will not review it. By signing this document, the authorized representative certifies that all information provided in the application true, correct and complete, including any supplemental documentation.

SECTION C – Proof of Participation Date and Amount of Whiting Landed, Delivered, Received, or Caught/Processed by Vessel: In this section, there are listings for the four different whiting vessel sectors and the corresponding qualifying years of participation in the whiting fishery for each sector. For each applicable sector, the applicant must provide one date during a qualifying year where whiting was landed, delivered, received/processed or caught/processed by the vessel named in Section A and provide the total amount of whiting landed, delivered, received/processed or caught/processed on that date. For catcher vessels that delivered to a mothership, please provide the name and documentation number for the mothership that received the whiting specified in this section. For catcher vessels that landed whiting at a first receiver, please provide the name of the first receiver and the location of the landing specified in this section. If you are providing a fish ticket as verification of the landing, please provide the fish ticket number and state that issued the fish ticket. The fish ticket provided must demonstrate that the gear used was mid-water trawl, the landing occurred during the primary season and that whiting made up more than 50% of the total landing by weight. For motherships, please provide the name and documentation number of the vessel that made the delivery specified in this section. Whiting harvested or processed by a vessel that has since been totally lost, scrapped, or rebuilt (with a new vessel documentation number) will not be considered for this license. Whiting caught or processed illegally or landed illegally will not be considered for this license. Catch and/or processing history associated with a vessel purchased by through the Pacific Coast groundfish capacity reduction program (68 FR 62435-62440 – November 4, 2003) will not be considered in meeting the qualification criteria.

SUPPLEMENTAL DOCUMENTATION: The applicant must provide documentation (i.e.; state fish receiving ticket, final observer report, a signed copy of a daily receipt of fish and cumulative production logbook, bill of lading) that provides proof of the amount (in pounds) of whiting either landed, delivered, received or caught/processed for the date given in Section C. This documentation must provide a date of landing or processing, indicate the vessel that landed or processed the whiting, and clearly show that whiting was landed or processed species and the amount of whiting in pounds for the given date. If the supplemental documentation is not provided as specified above, NMFS will consider the application to be incomplete and will not review it. NMFS may request a current copy of USCG Certificate of Vessel Documentation and other such relevant and credible documentation as it deems necessary.

DEADLINE: Your application must be received at the address given above **no later than March 30, 2009**. Any application received after March 30, 2009 will not be processed by NMFS and returned to the applicant.

PACIFIC WHITING VESSEL LICENSE APPLICATION

PACIFIC COAST GROUND FISH

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service, Northwest Region
Fisheries Permits Office
 7600 Sand Point Way NE, Bldg. 1
 Seattle, WA 98115-0070



Phone: (206) 526-4353 Fax: (206) 526-4461 www.nwr.noaa.gov

SECTION A – SECTOR QUALIFICATION

Indicate which sector(s) endorsement the vessel is applying for. Check all that apply.

- Catcher Vessel - Shoreside
- Catcher Vessel – Mothership
- Mothership
- Catcher Processor

SECTION B – VESSEL INFORMATION/VESSEL OWNER CERTIFICATON

Permit Number (if applicable) GF		Vessel Name		USCG Doc or State Registration Number	
Current Vessel Owner Name(s) (<i>Last, First, Middle Name or Business Name</i>)					
<i>Last</i>		<i>First</i>		<i>Middle Name</i>	
Business Mailing Address (<i>Street or PO Box</i>)				Business Phone ()	
				Business Fax (<i>optional</i>) ()	
City		State		Zip Code	
Business Email (<i>optional</i>)					
The remainder of Section B must be completed by a notary to certify that the individual(s) signing this form have satisfactorily identified themselves.					
<i>Under penalties of perjury, I hereby declare that I, the undersigned, completed this application, and the information contained herein is true, correct, and complete to the best of my knowledge and belief.</i>					
Signature of Applicant or Authorized Representative (See Note 1)				Date	
Printed Name of Applicant or Authorized Representative (<i>NOTE: If form completed by a representative, attach authorization.</i>)					
Notary Public Signature				Affix Notary Stamp or Seal Here	
Date Commission Expires					

ATTEST

 <p>PACIFIC WHITING VESSEL LICENSE APPLICATION</p> <p>PACIFIC COAST GROUND FISH</p>	<p>UNITED STATES DEPARTMENT OF COMMERCE National Oceanic and Atmospheric Administration National Marine Fisheries Service, Northwest Region Fisheries Permits Office 7600 Sand Point Way NE, Bldg. 1 Seattle, WA 98115-0070</p> <p>Phone: (206) 526-4353 Fax: (206) 526-4461 www.nwr.noaa.gov</p>	
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Section C –Date of Participation and Amount of Whiting Landed, Delivered, Received/Processed or Caught/Processed

For all applicable vessel sectors, provide for the vessel named in Section A one date during qualifying years when whiting was landed, delivered, received/processed or caught/processed and the total amount of whiting landed, delivered, received or caught/ processed on that date. You must submit record to verify the amount(s) for the date(s) indicated below.

**Catcher Vessels Landing at First Receivers (shoreside facility) Sector
(Qualifying Years January 1, 1994 - January 1, 2007)**

Provide **one date** in a qualifying year when the vessel named in Section A made a landing of whiting during the primary season with midwater gear and the amount of whiting exceeds 50% of the total landing by weight(mm/dd/yyyy):

Provide the total amount of whiting delivered by the vessel for the landing made on the date given above: _____

Provide First Receiver Name/Location (city/state): _____
 Fish Ticket Number/State (i.e.; #12345/WA): _____

**Catcher Vessels Delivering to Mothership Sector
(Qualifying Years January 1, 1997 – January 1, 2007)**

Provide **one date** in qualifying year when the vessel named in Section A made a whiting delivery to a mothership (mm/dd/yyyy): _____

Provide the total amount of whiting delivered by the vessel on the date given above: _____
 Name/USCG Official Number of Mothership receiving whiting from catcher vessel: _____

**Mothership Sector
(Qualifying Years January 1, 1997 – January 1, 2007)**

Provide **one date** in a qualifying year when the vessel named in Section A received and processed a delivery of whiting (mm/dd/yyyy): _____

Provide the total amount of whiting received and processed for the date given above: _____
 Name/USCG Official Number of catcher vessel that delivered whiting to the mothership: _____

**Catcher Processor Sector
(Qualifying Years January 1, 1997 – January 1, 2007)**

Provide one date in a qualifying year when the vessel named in Section A Caught and processed whiting (mm/dd/yyyy): _____
 Provide the total amount of whiting caught and processed for the date given above: _____

NOTE: For each applicable sector, the applicant is required to provide documentation (i.e.; state fish receiving ticket, final observer report, a signed copy of a daily receipt of fish and cumulative production logbook, bill of lading) that provides proof of the date of participation in the Pacific Whiting fishery by the applicant vessel and the amount (in pounds) of whiting landed, delivered, received, or caught/processed on that date.

DEADLINE: Your application must be received at the address given above **no later than March 30, 2009.** Any application received after March 30, 2009 will not be processed by NMFS and returned to the applicant.

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

PRA STATEMENT: Public reporting burden for this collection of information is estimated to average 45 minutes 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, Northwest Region, Attn: Assistant Regional Administrator, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA 98115.

Sustainable Fisheries Privacy Act Statement: This information is collected under the authority of the Magnuson-Stevens Fishery Conservation and Management Act. The information is used to verify the identity of the applicant(s) and to accurately retrieve confidential records related to federal permits.

The TIN (EIN or SSN) is collected under the authority of the Debt Collection Improvement Act of 1996 (Public Law 104-134). The primary purpose for requesting the TIN (EIN or SSN) is for the collection and reporting on any delinquent amounts arising out of such person's relationship with the government pursuant to the Debt Collection Improvement Act of 1996 (Public Law 104-134). Reporting of the TIN (EIN or SSN) is mandatory, and permit applications, renewals and transfer requests will not be processed without this information. Personally identifiable information is confidential and protected under the Privacy Act (5 U.S.C. 552a). Business information may be disclosed to the public.

The information will be subject to the following routine uses:

In addition to those disclosures generally permitted under 5 U.S.C. 552a (b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the Department of Commerce (Department). These records or information contained therein may specifically be disclosed as a routine use as stated below. The Department will, when so authorized, make the determination as to the relevancy of a record prior to its decision to disclose a document.

1. In the event that a system of records maintained by the Department to carry out its functions indicates a violation or potential violation of law or contract, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute or contract, or rule, regulation or order issued pursuant thereto, or the necessity to protect an interest of the Department, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute or contract, or rule, regulation or order issued pursuant thereto, or protecting the interest of the Department.
2. A record from this system of records may be disclosed in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed to a Member of Congress submitting a request involving an individual when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed to the Department of Justice in connection with determining whether the Freedom of Information Act (5 U.S.C. 552) requires disclosure thereof.
5. A record in this system will be disclosed to the Department of Treasury for the purpose of reporting and recouping delinquent debts owed the United States pursuant to the Debt Collection Improvement Act of 1996.
6. A record in this system may be disclosed to the Department of Homeland Security for the purposes of determining the admissibility of certain seafood imports into the United States.
7. A record in this system of records may be disclosed to a contractor of the Department having need for the information in the performance of the contract, but not operating a system of records within the meaning of 5 U.S.C. 552a(m).
8. A record in this system of records may be disclosed to approved persons at the state or interstate level within the applicable Marine Fisheries Commission for the purpose of co-managing a fishery or for making determinations about eligibility for permits when state data are all or part of the basis for the permits.
9. A record in this system of records may be disclosed to the applicable Fishery Management Council (Council) staff and contractors tasked with development of analyses to support Council decisions about Fishery Management Programs.
10. A record in this system of records may be disclosed to the applicable NMFS Observer Program for purposes of identifying current permit owners and vessels and making a random assignment of observers to vessels in a given fishing season.
11. A record in this system of records may be disclosed to the applicable Regional or International Fisheries Management Body for the purposes of identifying current permit owners and vessels pursuant to applicable statutes or regulations and/or conservation and management measures adopted by a Regional or International Fisheries Management Body: the Food and Agriculture Organization of the United Nations, Commission for the Conservation of Antarctic Marine Living Resources, Inter-American Tropical Tuna Commission, International Pacific Halibut Commission, International Commission for the Conservation of Atlantic Tunas.
12. A record in this system of records may be disclosed to appropriate agencies, entities, and persons when (1) it is suspected or confirmed that the security or confidentiality of information in the system of records has been compromised; (2) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.