

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 05/14/2009

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 04/23/2009

ACTION REQUESTED: No material or nonsubstantive change to a currently approved collection  
TYPE OF REVIEW REQUESTED: Regular  
ICR REFERENCE NUMBER: 200904-0648-008  
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	15,851,380	38,361	3,800,541
New	15,851,420	38,379	3,813,268
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	40	18	12,727
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
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	
Confirmation of VMS connectivity with Office of Law Enforcement	NA	Northeast Region VMS Installation Certification form (contains instructions for confirming connectivity)	50 CFR 648.14
Foreign fishing vessels arrival/departure from EEZ notification			50 CFR 300.140
Foreign fishing vessel VMS purchase, installation/maintenance and position reporting costs and certification response	NA	VMS Certification Form	50 CFR 300.140

**Justification for Change**  
**NORTHEAST REGION PERMIT FAMILY OF FORMS**  
**OMB CONTROL NO. 0648-0202**

National Marine Fisheries Services (NMFS) proposes to issue a permit\* that requires the installation and operation of vessel monitoring systems (VMS) on up to 10 vessels that were not included in past burden estimates. **Approval of the change is requested within two weeks, as the permit was to be issued 30 days after receipt of the application. The statutory deadline was April 10. The requirements for VMS will not take effect until this change request is approved by Office of Management and Budget (OMB)**

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For several years, NMFS has been issuing an annual permit for Canadian vessels that participate in the Atlantic herring fishery of the Northeast Region, under section 204(d) of the [Magnuson-Stevens Fishery Conservation and Management Act](#) (MSA) and section 105(e) of [Public Law 104-297](#), the Sustainable Fisheries Act. A new requirement for VMS will be added to the permit based on input from the United States (U.S.) Coast Guard. Section 204(d) states that applicants must comply with requirements described in section 201(c)(2) for the permit to be approved. Section 201(c)(2) includes a provision that the owner or operator of any foreign fishing vessel install and maintain in working order transponders, or such other appropriate position-fixing and identification equipment as the U.S. Coast Guard is operating determines to be appropriate. The U.S. Coast Guard found that VMS would be appropriate for the Canadian vessels and subsequently NMFS added the requirement in the proposed permit. Operation of the VMS will allow the monitoring of the vessels and their fishing effort.

Section 105(e) of Public Law 104-297 states that, within 30 days of receiving an application, NMFS shall issue permits to up to fourteen Canadian transport vessels that are not equipped for fish harvesting or processing, for the transshipment of Atlantic herring harvested by U.S. fishermen and used solely in sardine processing. The Northeast Fisheries Management Council established a border transfer specification for this herring transshipment in accordance with 50 CRF 648.200 (a).

The requirement will affect up to 10 Canadian vessels that currently do not have VMS onboard. As these Canadian vessels participate in the Atlantic herring fishery, there would be only minor changes to the total burden and cost for the herring fishery permit holders.

Currently 150 vessels have VMS units installed and operating. The additional affected vessels will need to purchase and install a VMS unit at an average cost of \$3,400 each, with yearly maintenance costs of \$200, for a 3-year total of \$3,400 + 200 + 200, or \$3,800, annualized to \$1,267, or \$12,670 for all vessels. There would be two responses associated with installation: Completion of OMB Control No. 0648-0202 VMS certification form and telephone call to notify the Office of Law Enforcement of activation, and the average burden including installation

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\* Applications for this permit are covered under OMB Control No. 0648-0089

would be 1 hour and 20 minutes (total of 20 responses and 13 hours). The average cost of the telephone call would be \$1, for a total of \$10.

Assuming a vessel trip from Canada to the U.S. will take an average of 24 hours, and the overall total is 10 trips during the year, the total number of transmissions would be 240, based on hourly VMS automatic reporting. Assuming each transmission costs \$0.03, the total cost would be \$7.20.

For each trip, two email messages with information on the vessel, days and times of arrival into and departure from the U.S. EEZ, and description of fishing activities, will need to be transmitted via VMS. The estimated burden for each of the 20 email messages is 15 minutes per message and the estimated cost is \$2 per message (total of 300 minutes (10 trips x 2 messages x 15 minutes) or 5 hours and \$40.

**The total additional estimated maximum responses would be 40** (10 certifications, 10 activation telephone calls, and 20 arrival/departure emails).

**The total additional hourly burden would be 18** (13 for installation, certification and activation telephone call + 5 for arrival/departure emails).

**The total additional cost would be \$12,727.20** (\$12,670 for purchase and installation + \$10 for telephone calls + \$7.20 for transmissions and \$40 for emails).

## PAPERWORK REDUCTION ACT CHANGE WORKSHEET

Agency/Subagency	OMB Control Number  _____ - _____	
<i>Enter only items that change</i>		
	Current record	New record
Agency form number (s)		
Annual reporting and recordkeeping hour burden		
Number of respondents		
Total annual responses		
Percent of these responses collected electronically	%	%
Total annual hours		
Difference		
Explanation of difference		
Program change		
Adjustment		
Annual reporting and recordkeeping cost burden (in thousands of dollars)		
Total annualized Capital/Startup costs		
Total annual costs (O&M)		
Total annualized cost requested		
Difference		
Explanation of difference		
Program change		
Adjustment		
Other changes**		
Signature of Senior Official or designee:	Date:	For OIRA Use  _____ _____

\*\* This form cannot be used to extend an expiration date.