

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 03/26/2010

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 03/22/2010

ACTION REQUESTED: No material or nonsubstantive change to a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 201003-0648-003
AGENCY ICR TRACKING NUMBER:
TITLE: Southeast Region Permit Family of Forms
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0205
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: 08/31/2011 DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	60,248	16,008	650,679
New	60,250	16,013	650,679
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	2	5	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
Dealer permits	NA	Annual dealer permit application form	50 CFR 622.4
Vessels fishing in the Exclusive Economic Zone	NA, NA	Federal permit form for vessels fishing for wreckfish off the South Atlantic states, Federal permit for fishing in EEZ (with Reef Fish Bottom Long Line Endorsement checkbox added)	50 CFR 622.4
Shrimp fishery permitting and reporting	NA, NA, NA, NA	Permit Application for vessels fishing in the Exclusive Economic Zone for Shrimp, Gulf of Mexico Shrimp Federal Permit Reporting Form, Application for vessel operator card (shrimp and dolphin/wahoo), Basis of eligibility for Gulf of Mexico Shrimp Moratorium	50 CFR 622.4
Live rock permitting and reporting	NA, NA, NA	Application for federal permit for the harvest of aquacultured live rock, Aquacultured Live Rock Report (harvesting activity), Aquaculture Site Evaluation Report	50 CFR 622.4
Golden crab permitting and reporting	NA	Federal permit application for vessels fishing in the EEZ for golden crab	50 CFR 622.17
Dolphin/wahoo permit applications and operator cards	NA	Federal permit application for Southeast Region operator card: shrimp and dolphin/wahoo	50 CFR 622.4
Fishing in Colombian Waters	NA	Colombian Treaty Waters Application including vessel make and where built	50 CFR 622.4
Reef fish fishery bottom longline endorsement appeals			50 CFR 622.4(a)(2)(xiv)(C)

JUSTIFICATION FOR CHANGE
SOUTHEAST REGION PERMIT FAMILY OF FORMS
OMB Control No. 0648-0205

We are requesting a change to the Federal Permit Application for Vessels Fishing in the Exclusive Economic Zone (EEZ), per Amendment 31 to the Reef Fish Fishery Management Plan as laid out in Final Rule 0648-AX67: the addition of a checkbox for an Eastern Gulf of Mexico Reef Fish Bottom Long Line Endorsement (RRLE), for those renewing permit holders requesting the endorsement.

An estimated 61 vessels will qualify for the endorsement: those already possessing a Gulf of Mexico Reef Fish Permit (RR) and having a record of the required amount of landings. The estimated burden for reviewing instructions and checking the RRLE box is estimated to be less than one minute per response, for a total of 1 hour of additional burden.

Additionally, the final rule contains the option for Gulf reef fish permit holders to appeal longline endorsement eligibility and/or landings information. The only items subject to appeal are: initial eligibility for an eastern Gulf reef fish bottom longline endorsement based on ownership of a qualifying reef fish permit, the accuracy of the amount of landings, and correct assignment of landings to the permittee. Appeals must be submitted to the RA postmarked no later than 120 days after the date of publication of the final rule, and must contain documentation supporting the basis for the appeal. The estimated number of hours to complete an appeal is two hours per response. An estimated 2 responses are expected for the appeals process, with a total annual burden of 4 hours.

A total of 2 responses and 5 hours of additional burden would be added to this information collection.

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.

U.S. DEPT OF COMMERCE, NOAA
 NMFS PERMITS BRANCH, F/SER1
 263 13th Avenue South
 St. Petersburg, FL 33701
 Toll Free 877/376-4877 (8:00 am - 4:30 pm ET)
 727/824-5326 (8:00 am - 4:30 pm ET)
 http://sero.nmfs.noaa.gov



FEDERAL PERMIT APPLICATION FOR VESSELS FISHING IN THE EXCLUSIVE ECONOMIC ZONE (EEZ)

Application ID

FOR OFFICE USE ONLY

FOR OFFICE USE ONLY	
Reviewer's Initials and Date	
Permit Check or Money Order Number and Amount	
Floy Tag Check or Money Order Number and Amount	
Sanction Case Number if Sanctioned	
Non Compliance Hold Date	
Non Compliance Cleared Date	
Expiration Date(s)	

REMEMBER TO SEND A COPY of your current (not expired) USCG Certificate of Documentation. If this vessel is not documented, send a copy of your state vessel registration. If we have a copy on file, it must not be of your expired documentaion or state registration. Do not send your original. We cannot accept a bill of sale. If your vessel's state registration does not list all owners of the vessel, also provide a copy of the vessel's title, or other documentation from the appropriate state agency that identifies all vessel owners.

1. VESSEL INFORMATION

<p>OFFICIAL NUMBER FROM USCG CERTIFICATE OF DOCUMENTATION (if the vessel is documented)</p> <input style="width: 100%; height: 20px;" type="text"/> <p>STATE REGISTRATION NUMBER (as applicable)</p> <input style="width: 100%; height: 20px;" type="text"/> <p>VESSEL NAME</p> <input style="width: 100%; height: 20px;" type="text"/> <p>HULL IDENTIFICATION or IMO NUMBER</p> <input style="width: 100%; height: 20px;" type="text"/> <p>HAILING PORT CITY</p> <input style="width: 100%; height: 20px;" type="text"/> <p>HAILING PORT COUNTY OR PARISH HAILING PORT STATE</p> <input style="width: 100%; height: 20px;" type="text"/>	<p>YEAR BUILT</p> <input style="width: 100%; height: 20px;" type="text"/> <p>Crew Size - Including the Captain (required for all vessels)</p> <input style="width: 100%; height: 20px;" type="text"/> <p>HOLD or FISH BOX CAPACITY (Pounds of Harvest)</p> <input style="width: 100%; height: 20px;" type="text"/>	<p>LENGTH (FEET)</p> <input style="width: 100%; height: 20px;" type="text"/>	<p>TOTAL HORSEPOWER</p> <input style="width: 100%; height: 20px;" type="text"/>
---	---	---	--

USCG DOCUMENTED VESSELS ONLY

GROSS TONS	NET TONS
<input style="width: 100%; height: 20px;" type="text"/>	<input style="width: 100%; height: 20px;" type="text"/>

HULL MATERIAL

FIBERGLASS

STEEL

WOOD

CEMENT

OTHER _____

FUEL DATA

DIESEL

TOTAL GALLONS

GASOLINE

TOTAL GALLONS

OTHER (DESCRIBE) _____

TOTAL GALLONS

PRODUCT STORAGE (check all that apply)

ON ICE IN HOLD, FISH BOX, COOLER ETC.,

FREEZER

LIVE WELL

OTHER _____

PASSENGER CAPACITY DATA FOR CHARTER/ HEADBOAT VESSELS ONLY

UNINSPECTED VESSEL - "6-PACK"

USCG INSPECTED VESSEL (Specify Passenger Capacity as listed on the USCG Certificate of Inspection, not including Capt. and Crew)

This vessel is used mostly as (select only 1)

Commercial Fishing

Headboat

Charter

For Shark and Swordfish Directed and Incidental Permit Applicants Only: Does your vessel fish with, or carry onboard, either longline or gillnet gear?

Yes No

Reminder: If yes, include a copy of your "Protected Species Release, Disentanglement, and Identification Workshop Certificate".

2. PERMITS

INSTRUCTIONS: Indicate which permit(s) and transaction(s) you are applying for. Find the fishery in the left column and mark the check box beside that fishery to indicate what transaction you want.

OPEN ACCESS COMMERCIAL PERMITS	NEW	RENEWAL	DUPLICATE	
COMMERCIAL ATLANTIC DOLPHIN/ WAHOO (ADW)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SPINY LOBSTER TAILING (LT)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SPINY LOBSTER (LC) (Not required for the EEZ off Florida)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SPANISH MACKEREL (SM)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ROCK SHRIMP (CAROLINAS ZONE) (RSCZ)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SOUTH ATLANTIC PENAEID SHRIMP (SPA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
GULF ROYAL RED SHRIMP (GRRS) (You must possess a valid Gulf of Mexico Shrimp (SPGM) Permit to obtain this permit.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OPEN ACCESS CHARTER/HEADBOAT PERMITS	NEW	RENEWAL	DUPLICATE	
SOUTH ATLANTIC CHARTER/ HEADBOAT FOR SNAPPER-GROUPER (SC)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SOUTH ATLANTIC CHARTER/ HEADBOAT FOR COASTAL MIGRATORY PELAGICS (CHS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ATLANTIC CHARTER/ HEADBOAT FOR DOLPHIN/ WAHOO (CDW)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LIMITED ACCESS/MORATORIUM COMMERCIAL PERMITS	PERMIT NUMBER	TRANSFER	RENEWAL	DUPLICATE
GULF OF MEXICO SHRIMP (SPGM)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KING MACKEREL (KM)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GILLNET FOR KING MACKEREL (GN)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GULF OF MEXICO REEF FISH (RR)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GULF OF MEXICO REEF FISH BOTTOM LONG LINE ENDORSEMENT (RRLE) You must possess a valid Commercial Gulf Reef Fish (RR) permit	NEW <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROCK SHRIMP (SOUTH ATLANTIC EEZ) (RSLA)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SOUTH ATLANTIC UNLIMITED SNAPPER-GROUPER (EXCLUDING WRECKFISH) (SG1)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SOUTH ATLANTIC 225 LB TRIP LIMIT SNAPPER-GROUPER (EXCLUDING WRECKFISH) (SG2)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WORDFISH DIRECTED (SFD)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WORDFISH HANDGEAR (SFH)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WORDFISH INCIDENTAL (SFI)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SHARK DIRECTED (SKD)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SHARK INCIDENTAL (SKI)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ATLANTIC TUNA LONGLINE (ATL) You must possess valid shark and swordfish permits (SFI, SKI, SFD, SKD) to obtain this permit.	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LIMITED ACCESS/MORATORIUM CHARTER/ HEADBOAT PERMITS	PERMIT NUMBER	TRANSFER	RENEWAL	DUPLICATE
GULF OF MEXICO CHARTER/HEADBOAT FOR COASTAL MIGRATORY PELAGIC FISH (CHG)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GULF OF MEXICO CHARTER/HEADBOAT FOR REEF FISH (RCG)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HISTORICAL CAPTAIN GULF OF MEXICO CHARTER/HEADBOAT FOR COASTAL MIGRATORY PELAGIC FISH (HCHG)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HISTORICAL CAPTAIN GULF OF MEXICO CHARTER/HEADBOAT FOR REEF FISH (HRCG)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. VESSEL OWNER AND LESSEE INFORMATION

Please copy this page as needed to provide information on all persons or businesses that own or lease the vessel listed in Section 1.

- 1) Please complete this section for each owner of the vessel as shown on the Coast Guard Documentation or, if not documented, on the state registration certificate. If the owner is a business or partnership, enter the Federal ID number and date the business was formed or partnership was filed. If the owner is an individual, enter the Social Security Number.
- 2) Complete the Additional Owner or Lessee section for a second joint owner if the vessel is owned by more than one owner, or if the vessel is leased, for the entity that is leasing the vessel from the vessel owner. If you need more spaces, copy the blank form or provide the required information on a separate sheet of paper.
- 3) Place an "X" in the Mailing Recipient block to indicate who will receive the permit and all related information. Please only mark one box.
- 4) If the vessel is operated under a lease or other written management agreement that bestows control over the destination, function or operation of the vessel to a person other than the vessel owner (as stated on the Coast Guard Documentation or state registration), you must submit information on each lessee. If you need more spaces for additional lessees, copy the blank form or provide the required information on a separate sheet of paper.
- 5) If your vessel's state registration does not list all owners of the vessel, also provide a copy of the vessel's title, or other documentation from the appropriate state agency that identifies all vessel owners,

Vessel Owner as shown on the USCG Certificate of Documentation,
or for undocumented vessels, the State Registration; and/or Vessel Lessee Information

This entity is a vessel OWNER <input type="checkbox"/> or vessel LESSEE <input type="checkbox"/> (For lessees only) LEASE START DATE: <input style="width: 100px;" type="text"/>		LEASE EXPIRATION DATE: <input style="width: 100px;" type="text"/>					
Check one <input type="checkbox"/> INDIVIDUAL or SOLE PROPRIETORSHIP <input type="checkbox"/> JOINT OWNERSHIP <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER _____							
<input type="checkbox"/> Mailing Recipient - Mark this box if you want this entity to receive all mail concerning this permit; mark only one person							
Mr/Mrs/Ms	Last Name or Name of Business	First Name	Middle Name	Suffix - JR,SR,etc.			
<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>			
Mailing Address		Apt/Suite #	City	State	County/parish	Zip Code	Country
<input style="width: 100%;" type="text"/>		<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Physical Address		Apt/Suite #	City	State	County/parish	Zip Code	Country
<input type="checkbox"/> Check box if same as Mailing Address		<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Tax ID # (Employer ID or SSN)		Date of Birth/business filed (MM/DD/YYYY)		Area Code	Phone Number		
<input style="width: 100%;" type="text"/>		<input style="width: 100%;" type="text"/>		<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>		
Income Qualifier: If this entity is the income qualifier for any permits applied for in this application, indicate below to which fishery the income applies.							
<input type="checkbox"/> Commercial King Mackerel <input type="checkbox"/> Commercial Spiny Lobster <input type="checkbox"/> Spanish Mackerel <input type="checkbox"/> Reef Fish							

Second Vessel Owner as shown on the USCG Certificate of Documentation or State Registration, or
Vessel Lessee

This entity is a vessel OWNER <input type="checkbox"/> or vessel LESSEE <input type="checkbox"/> (For lessees only) LEASE START DATE: <input style="width: 100px;" type="text"/>		LEASE EXPIRATION DATE: <input style="width: 100px;" type="text"/>					
Check one <input type="checkbox"/> INDIVIDUAL or SOLE PROPRIETORSHIP <input type="checkbox"/> JOINT OWNERSHIP <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER _____							
<input type="checkbox"/> Mailing Recipient - Mark this box if you want this entity to receive all mail concerning this permit; mark only one person							
Mr/Mrs/Ms	Last Name or Name of Business	First Name	Middle Name	Suffix - JR,SR,etc.			
<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>			
Mailing Address		Apt/Suite #	City	State	County/parish	Zip Code	Country
<input style="width: 100%;" type="text"/>		<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Physical Address		Apt/Suite #	City	State	County/parish	Zip Code	Country
<input type="checkbox"/> Check box if same as Mailing Address		<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
Tax ID # (Employer ID or SSN)		Date of Birth/business filed (MM/DD/YYYY)		Area Code	Phone Number		
<input style="width: 100%;" type="text"/>		<input style="width: 100%;" type="text"/>		<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>		
Income Qualifier: If this entity is the income qualifier for any permits applied for in this application, indicate below to which fishery the income applies.							
<input type="checkbox"/> Commercial King Mackerel <input type="checkbox"/> Commercial Spiny Lobster <input type="checkbox"/> Spanish Mackerel <input type="checkbox"/> Reef Fish							

REMINDER: THE APPLICANT MUST SIGN THE APPLICATION IN THE SIGNATURE SECTION ON PAGE 6

4. OFFICER/SHAREHOLDER INFORMATION FOR ENTITIES THAT OWN OR LEASE THE VESSEL

Please copy this page as needed to provide information on all persons or businesses that own or lease this vessel.

1) Please complete this section for **each** officer or partner associated by partnership, corporation, or other business relationship to a vessel owner or lessee listed in Section 3. You must provide the information for all officers that are shown on your most recent annual report. If your business is structured as a corporation, you are required to identify all shareholders in the corporation, as well as the percentage of all shares in the corporation held by each shareholder. The total of all entries must be 100 percent.

Owner or lessee of the vessel: Owner Lessee

Business name:

Federal Tax ID #

All individuals associated with the above-named vessel owner or lessee must be included in this application. Photocopy this page or attach additional sheets as necessary to list all officers, directors, shareholders, and registered agents of the business. Provide names, Social Security Numbers, addresses, phone number, date of birth, and position held in business.

Position held							
<input type="checkbox"/> President/CEO <input type="checkbox"/> Vice President <input type="checkbox"/> Secretary <input type="checkbox"/> Treasurer <input type="checkbox"/> Director/Manager <input type="checkbox"/> Agent <input type="checkbox"/> Shareholder <input type="checkbox"/> Other							
Percent (%) of Corporation Held		<input style="width: 80px; height: 25px;" type="text"/>					
Mr/Mrs/Ms	Last Name	First Name		Middle Name		Suffix - JR,SR,etc.	
<input style="width: 60px; height: 25px;" type="text"/>	<input style="width: 280px; height: 25px;" type="text"/>	<input style="width: 220px; height: 25px;" type="text"/>		<input style="width: 160px; height: 25px;" type="text"/>		<input style="width: 60px; height: 25px;" type="text"/>	
Mailing Address		Apt/Suite #	City	State	County/parish	Zip Code	Country
<input style="width: 280px; height: 25px;" type="text"/>		<input style="width: 60px; height: 25px;" type="text"/>	<input style="width: 160px; height: 25px;" type="text"/>	<input style="width: 40px; height: 25px;" type="text"/>	<input style="width: 100px; height: 25px;" type="text"/>	<input style="width: 80px; height: 25px;" type="text"/>	<input style="width: 60px; height: 25px;" type="text"/>
Physical Address		Apt/Suite #	City	State	County/parish	Zip Code	Country
<input style="width: 280px; height: 25px;" type="text"/>		<input style="width: 60px; height: 25px;" type="text"/>	<input style="width: 160px; height: 25px;" type="text"/>	<input style="width: 40px; height: 25px;" type="text"/>	<input style="width: 100px; height: 25px;" type="text"/>	<input style="width: 80px; height: 25px;" type="text"/>	<input style="width: 60px; height: 25px;" type="text"/>
<input type="checkbox"/> Check box if same as Mailing Address							
SSN	Date of Birth (MM/DD/YYYY)		Area Code	Phone Number			
<input style="width: 120px; height: 25px;" type="text"/>	<input style="width: 280px; height: 25px;" type="text"/>		<input style="width: 60px; height: 25px;" type="text"/>	<input style="width: 160px; height: 25px;" type="text"/>			
Income Qualifier: If this entity is the income qualifier for any permits applied for in this application, indicate below to which fishery the income applies.							
<input type="checkbox"/> Commercial King Mackerel <input type="checkbox"/> Commercial Spiny Lobster <input type="checkbox"/> Spanish Mackerel <input type="checkbox"/> Reef Fish							

Position held							
<input type="checkbox"/> President/CEO <input type="checkbox"/> Vice President <input type="checkbox"/> Secretary <input type="checkbox"/> Treasurer <input type="checkbox"/> Director/Manager <input type="checkbox"/> Agent <input type="checkbox"/> Shareholder <input type="checkbox"/> Other							
Percent (%) of Corporation Held		<input style="width: 80px; height: 25px;" type="text"/>					
Mr/Mrs/Ms	Last Name	First Name		Middle Name		Suffix - JR,SR,etc.	
<input style="width: 60px; height: 25px;" type="text"/>	<input style="width: 280px; height: 25px;" type="text"/>	<input style="width: 220px; height: 25px;" type="text"/>		<input style="width: 160px; height: 25px;" type="text"/>		<input style="width: 60px; height: 25px;" type="text"/>	
Mailing Address		Apt/Suite #	City	State	County/parish	Zip Code	Country
<input style="width: 280px; height: 25px;" type="text"/>		<input style="width: 60px; height: 25px;" type="text"/>	<input style="width: 160px; height: 25px;" type="text"/>	<input style="width: 40px; height: 25px;" type="text"/>	<input style="width: 100px; height: 25px;" type="text"/>	<input style="width: 80px; height: 25px;" type="text"/>	<input style="width: 60px; height: 25px;" type="text"/>
Physical Address		Apt/Suite #	City	State	County/parish	Zip Code	Country
<input style="width: 280px; height: 25px;" type="text"/>		<input style="width: 60px; height: 25px;" type="text"/>	<input style="width: 160px; height: 25px;" type="text"/>	<input style="width: 40px; height: 25px;" type="text"/>	<input style="width: 100px; height: 25px;" type="text"/>	<input style="width: 80px; height: 25px;" type="text"/>	<input style="width: 60px; height: 25px;" type="text"/>
<input type="checkbox"/> Check box if same as Mailing Address							
SSN	Date of Birth (MM/DD/YYYY)		Area Code	Phone Number			
<input style="width: 120px; height: 25px;" type="text"/>	<input style="width: 280px; height: 25px;" type="text"/>		<input style="width: 60px; height: 25px;" type="text"/>	<input style="width: 160px; height: 25px;" type="text"/>			
Income Qualifier: If this entity is the income qualifier for any permits applied for in this application, indicate below to which fishery the income applies.							
<input type="checkbox"/> Commercial King Mackerel <input type="checkbox"/> Commercial Spiny Lobster <input type="checkbox"/> Spanish Mackerel <input type="checkbox"/> Reef Fish							

REMINDER: THE APPLICANT MUST SIGN THE APPLICATION IN THE SIGNATURE SECTION ON PAGE 6

5. HISTORICAL CAPTAIN OR OTHER INCOME QUALIFIER (DESIGNATED OPERATOR)

Provide information on person who is the Historical Captain for Gulf of Mexico Charter/Headboat Historical Captain permit(s) and/or the designated Operator (income qualifier) who is not the vessel owner or lessee, or related through business association to the vessel owner or lessee, as listed in Section 3 or Section 4 of this application.

Please complete this section of the application only if you are applying for:

- * A Gulf of Mexico Charter/Headboat permit with a Historical Captain provision (renewal or transfer),
- * A King Mackerel, Spanish Mackerel, Reef Fish, or Commercial Spiny Lobster permit for which you have met the income qualification requirement by using the fishing income of a designated operator who is neither a vessel owner or lessee as listed in Section 3 of this application, nor is an officer or a shareholder of a business that owns or leases the vessel, as listed in Section 4 of this application.

Please complete the bottom part of this section of the application only if you are applying for:

- * A King Mackerel or Spanish Mackerel permit for which you have met the income qualification requirement by using the fishing income of a company that is not the vessel owner or lessee as listed in Section 3 of this application.

For all other applications, this section should be blank.

This person is a (check all that apply):

- Historical Captain for Gulf of Mexico Charter/Headboat for Reef Fish
- Historical Captain for Gulf of Mexico Charter/Headboat for Coastal Migratory Pelagic Fish
- Income Qualifier (Designated Operator other than Permit Holder) for: (check all that apply)
- Commercial King Mackerel Commercial Spiny Lobster Spanish Mackerel Reef Fish

Mr/Mrs/Ms	Last Name	First Name	Middle Name	Suffix - JR,SR,etc.			
<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>			
Mailing Address		Apt/Suite #	City	State	County/parish	Zip Code	Country
<input style="width: 100%;" type="text"/>		<input style="width: 100%;" type="text"/>					
Physical Address		Apt/Suite #	City	State	County/parish	Zip Code	Country
<input style="width: 100%;" type="text"/>		<input style="width: 100%;" type="text"/>					
<input type="checkbox"/> Check box if same as Mailing Address							
SSN	Date of Birth (MM/DD/YYYY)	Area Code	Phone Number				
<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>				

6. SNAPPER-GROUPER POTS

**COMPLETE THIS SECTION ONLY IF YOU FISH WITH
SEA BASS POTS IN THE SOUTH ATLANTIC SNAPPER-GROUPER FISHERY.**

Tag cost is \$1.50 per tag made payable by check or money order to Floy Tag, Inc.

If you have an existing buoy color code for ANY trap or pot fishery, list it here Color Code

If you do not have an existing buoy color code for ANY trap or pot fishery,
request your choice here (white is not an available color option). Color Code

South Atlantic Sea Bass Pot Information Number of Pots

Size: H x L x W (in inches)

Mesh size (in inches)
Height x Width

**IF SECTION 5 OF THIS PAGE IS FILLED OUT, THE HISTORICAL CAPTAIN OR OTHER INCOME QUALIFIER LISTED
MUST SIGN THE SIGNATURE SECTION AS THE APPLICANT ON PAGE 6.**



Payment Reminder:

All applications must include payment of a non-refundable application fee in the form of a check or money order made payable to the U.S. Treasury. The fee required is \$25.00 for the first fishery and \$10.00 for each additional fishery requested with each application.

FEE SCHEDULE:

1 PERMIT - \$25	2 PERMITS - \$35	3 PERMITS - \$45	4 PERMITS - \$55	5 PERMITS - \$65	6 PERMITS-\$75
7 PERMITS-\$85	8 PERMITS - \$95	9 PERMITS - \$105	10 PERMITS-\$115	11 PERMITS-\$125	12 PERMITS-\$135
13 PERMITS-\$145	14 PERMITS-\$155	15 PERMITS-\$165	16 PERMITS-\$175	17 PERMITS-\$185	18 PERMITS-\$195

7. SIGNATURE FOR APPLICATION

The undersigned certifies under penalty of perjury that the foregoing information is true and correct (28 U.S.C. section 1746; 18 U.S.C. section 1621; 18 U.S.C. section 1001). Further, the undersigned acknowledges that (1) if a shark permit is received, then shark fishing, catch and gear are subject to the shark regulations cited in 50 CFR 635.5, without regard to where such shark fishing occurs or where such shark and/or gear are possessed, taken or landed; and (2) if a spiny lobster tailing permit is requested, the applicant routinely fishes commercially in Federal waters on trips of up to 48 hours or more and that such fishing activity requires the separation of the tail and carapace to maintain quality product.

Please note: If the vessel listed in Section 1 is leased, the applicant who signs below must be an individual named as a lessee in Section 3, or an officer or shareholder of the lessee as listed in Section 4. If the vessel listed in Section 1 is not leased, the applicant must be an individual named as an owner in Section 3, or an officer or shareholder of the owner as listed in Section 4.

Applicant Signature	<input type="text"/>	Position in Company	<input type="text"/>	Date	<input type="text"/>
Print Name	<input type="text"/>	Operator Signature if required	<input type="text"/>		

8. INCOME QUALIFICATION AFFIDAVIT FOR INCOME QUALIFIED PERMITS

An Income Qualification Affidavit is now accepted as proof of meeting permit income qualification requirements. This signed Income Qualification Affidavit is required with every application to renew or transfer an income qualified permit (as listed below). Knowingly supplying false information or willfully overvaluing any fishing income for the purpose of obtaining a permit is a violation of Federal law punishable by a fine and/or imprisonment.

<p>Commercial Spiny Lobster</p> <p>50CFR640.4(A)(2) An applicant must provide the following information: (vi) A sworn statement by the applicant for a vessel permit certifying that at least 10 percent of his or her earned income was derived from commercial fishing, that is, sale of the catch, during the calendar year preceding the application.</p>	<p>King Mackerel</p> <p>50CFR622.4(a)(iii) To obtain or renew a commercial vessel permit for king mackerel, at least 25 percent of the applicant's earned income, or at least \$10,000, must have been derived from commercial fishing (i.e., harvest and first sale of fish) or from charter fishing during one of the 3 calendar years preceding the application.</p>	<p>Spanish Mackerel</p> <p>50CFR622.4(a)(iv) To obtain or renew a commercial vessel permit for Spanish mackerel, at least 25 percent of the applicant's earned income, or at least \$10,000, must have been derived from commercial fishing (i.e., harvest and first sale of fish) or from charter fishing during one of the 3 calendar years preceding the application.</p>	<p>Gulf of Mexico Reef Fish</p> <p>50CFR622.4(a)(v) To obtain or renew a commercial vessel permit for Gulf reef fish, more than 50 percent of the applicant's earned income must have been derived from commercial fishing (i.e., harvest and first sale of fish) or from charter fishing during either of the 2 calendar years preceding the application.</p>
--	--	---	---

The following information applies to my income qualification for the following fisheries:

- Commercial Spiny Lobster
 King Mackerel
 Spanish Mackerel
 Gulf of Mexico Reef Fish

I, _____, hereby declare under penalty of perjury that the foregoing information is true and correct. (28 U.S.C. 1746; 18 U.S.C. 1621; 18 U.S.C. 1001). I agree to provide the necessary documentation to prove that I met the earned income requirement when so requested by the National Marine Fisheries Service.

Executed on _____
(date signed)

Printed Name _____ Signature _____

Business Name (If Applicable) _____ Type of Business (If Applicable) _____

Public reporting burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing 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 suggestions for reducing this burden to Jason Rueter, National Marine Fisheries Service, F/SER22, 263 13th Avenue South, St. Petersburg, FL 33701.

The National Marine Fisheries Service requires this information for the conservation and management of marine fishery resources. The data reported will be used to develop, implement, and monitor fishery management activities for a variety of other uses. Responses to this collection are required to obtain or retain a fisheries permit under the Magnuson - Stevens Act. Name and address information will be released via a NOAA website. All other data submitted will be handled as confidential material in accordance with NOAA Administrative Order 216-100, Protection of Confidential Fishery Statistics. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected 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.



Instructions for the Federal Permit Application for Vessels Fishing in the Exclusive Economic Zone (EEZ)

Instructions updated 03 SEP 2009

General Instructions:

In addition to the instructions provided herein, applicants with specific questions are encouraged to contact the Permits Office at (727) 824-5326 or toll free at (877) 376-4877 between 8:00 a.m. and 4:30 p.m. ET, and to consult the U.S. Code of Federal Regulations whose guidance for application requirements, permit eligibilities, and related information will always prevail. (Incomplete or illegible applications will be returned.)

1. Complete all applicable sections of this application form. Incomplete or illegible applications will be returned. Applications should be typed, or hand printed and should be filled out in ink.
2. The application fee is **\$25 for one fishery and \$10 for each additional fishery** and is **non-refundable**. A check or money order payable to the **U.S. TREASURY** must accompany each application. There is a fee schedule on page 6 of the application and further along in these instructions to assist you in determining the total amount to pay for your permits.
3. Mail the application, payment, and all required supporting documentation to: **National Marine Fisheries Service (F/SER1), 263 13th Avenue South., St. Petersburg, FL 33701**. Questions may be telephoned to our toll free number at (877) 376-4877 or 727/824-5326 between 8 am - 4:30pm ET. If you would like your permit and associated documents returned to you overnight upon completion of processing, enclose a completed, pre-paid **FEDERAL EXPRESS** air bill, complete with your street delivery address (FEDEX does not deliver to PO Boxes), telephone number, and your FEDEX account number or major credit card number with the expiration date. Please note, using the prepaid overnight delivery option does not expedite permit processing, it can only expedite delivery upon completion of processing.
4. If transferring a Gulf charter/headboat vessel permit, a copy of a **valid** U.S. Coast Guard Operator of Uninspected Passenger Vessel License (commonly referred to as a 6-pack license) or a valid U.S. Coast Guard Masters License must be provided, along with any other requested information. A **valid** U.S. Coast Guard Certificate of Inspection must be provided if passenger capacity of the vessel is greater than 6 passengers. A valid temporary Certificate of Inspection will be accepted.
5. Each vessel issued a South Atlantic Rock Shrimp permit (regardless of whether or not issued the limited entry area endorsement) or an Atlantic Dolphin/Wahoo (charter or commercial) permit, when at sea or offloading, is required to have on board at least one person who has a Federal operator permit card issued by the NMFS Southeast Regional Office or the NMFS Northeast Regional Office.
6. Requests to renew or transfer permits will not be processed until all required reporting requirements (e.g., logbooks, the MARFIN telephone survey, etc) have been met. Noncompliance with any reporting requirement will preclude processing of all permit transaction requests. To avoid delays, ensure you comply with all reporting requirements in a timely manner and in advance of any permit application requests. Send your logbook report(s) to **National Marine Fisheries Service, Research Management Division, Logbook Program, P.O. Box 491500, Key Biscayne, FL 33149-9916**. Questions concerning your reporting requirements should be phoned to the Research Management Division at 305/361-4581. We cannot renew or transfer your permit(s) until all reporting requirements (e.g., logbook submission) are met.
7. An Income Qualification Affidavit is now accepted as proof of meeting permit income qualification requirements. A signed Income Qualification Affidavit will be required with every application to renew or transfer an income qualified permit. The blank Income Qualification Affidavit is included on page 6 of this application.
8. Applications to transfer permits for which the Federal regulations restrict transfers to certain family members or to a vessel with characteristics may be required to submit documentation to verify their eligibility for such transfers.

In accordance with Federal regulations, any change in your permit information must be reported in writing to NMFS within 30 days of the change.

APPLICATION SECTION 1 Unless otherwise exempted by the application form, complete **all** portions of Section 1. Enter the Official Number and the length of the vessel as they appear on the U.S. Coast Guard Certificate of Documentation; or if not documented, the state registration certificate. If applying for a Highly Migratory Species commercial swordfish or shark permit issued without a vessel write "NO VESSEL" in the field for USCG Official Number. For charter/headboats that are inspected, list the greatest passenger capacity listed on the USCG Certificate of Inspection for federal waters (which does not include Lakes, Bays and Sounds). A vessel's passenger capacity does not include the captain and crew.

APPLICATION SECTION 2

Indicate the fishery and transaction type for each permit requested in this application.

APPLICATION SECTION 3

Enter the information of the person/business shown as the "**owner**" on the U.S. Coast Guard Certificate of Documentation or, if not documented, from the state registration certificate. If there is more than one vessel owner shown on the USCG documentation or the vessel is titled to more than one person, provide the required information for all listed owners. If additional space is needed, please photocopy the blank page as many times as is necessary to provide information on all vessel owners and lessees.

If the owner/qualifier is an individual, provide the owner's date of birth and enter the Social Security Number (taxpayer ID information). If the person shown as the "owner" is a corporation or partnership, provide the date that the corporation was filed or the partnership was formed and the company's Federal Tax ID number (taxpayer ID information). If corporations are in an INACTIVE status, permits will not be issued.

If the vessel is leased, also provide information on all vessel lessees. If lessee is an individual, provide the owner's date of birth and enter the Social Security Number (taxpayer ID information). If the person shown as the "lessee" is a corporation or partnership, provide the date that the corporation was filed or the partnership was formed and the company's Federal Tax ID number (taxpayer ID information). If corporations are in an INACTIVE status, permits will not be issued.

If the vessel is leased, provide a copy of the signed (both parties) and dated lease agreement (see the Renewal and Initial (New) Issuance of permits section (below) of these instructions for lease requirements).

If any entities named as a vessel owner or for leased vessels named as vessel lessee are also an income qualifier for permits associated with this application, indicate the permits for which their income has been used for income qualification and submit a signed Income Qualification Affidavit.

APPLICATION SECTION 4

If the application is for a vessel that is owned by corporation, partnership, or other business entity, then information on the owner's officers/shareholders is required. Information on all officers/shareholders associated with the vessel owners and/or lessees is required. If additional space is needed, please photocopy the blank page as many times as is necessary to provide information on all officers/shareholders associated with the vessel owners and lessees.

PLEASE NOTE: you are no longer required to submit articles of incorporation/organization or an annual report for businesses that hold permits, own or lease vessels.

If any individuals named as an officer or shareholder of the vessel owner, or for leased vessels named as an officer or shareholder of the vessel lessee, are also an income qualifier for permits associated with this application, indicate the permits for which their income has been used for income qualification, and submit a signed Income Qualification Affidavit.

If the company holds IFQ shares, indicate what percentage of the company each person listed owns. The percentages reported must equal 100%.

APPLICATION SECTION 5

Complete this section **only** for applications that include:

- Gulf of Mexico Charter/Headboat permits with a Historical Captain provision, or
- King Mackerel, Spanish Mackerel, Reef Fish, and/or Commercial Spiny Lobster permit which has been income qualified using the fishing income of an operator who is neither a vessel owner or lessee as listed in Section 3 of this application, nor is an officer of a business that owns or leases the vessel, as listed in Section 4 of this application.

For all other applications, this section should remain blank.

APPLICATION SECTION 6 Complete this section only if you fish with pots in the snapper-grouper fishery off the southern Atlantic states. A **separate check or money order for pot tags (\$1.50 per tag) payable to FLOY TAG INC. is required for use in the snapper-grouper fishery.** Tags will be mailed directly from Floy Tag Inc., and will not be sent with the permit package.

APPLICATION SECTION 7 The application must be signed and dated by the vessel owner or for leased vessels by the vessel lessee. For corporate owned or leased vessels, an officer or shareholder of the vessel owner or vessel lessee must sign and date the application.

APPLICATION SECTION 8 An Income Qualification Affidavit is now accepted as proof of meeting permit income qualification requirements. The affidavit is a signed promise, under penalty of perjury, that the applicant meets the federal income qualification requirements for the income qualified permit(s) and will provide such income documentation if NMFS requests such documentation. You are not required to provide tax or income documents unless we specifically ask for them. A signed Income Qualification Affidavit will be required with every application to renew an income qualified permit.

RENEWAL AND INITIAL (NEW) ISSUANCE OF PERMITS

- All permit renewal and first issuance requests must include, as a minimum: an application, the appropriate fees, and a copy of the unexpired U.S. Coast Guard Certificate of Documentation or state registration certificate. Please note - we cannot accept a bill of sale as documentation or registration.
- If the vessel is leased/rented/leased to own, include a copy of the current lease agreement. The lease must state who is leasing what vessel (identified by USCG Documentation or if not documented, then state registration number) to whom, what date the lease begins and what specific date the lease expires. The lease must run for a minimum of 7 months, and if you anticipate a long term arrangement, let the lease run for a number of years. Both the vessel owner(s) and the lessee(s) must sign and date the lease agreement.
- To ensure that your renewal goes as quickly and smoothly as possible, send your logbook report(s) to **National Marine Fisheries Service, Research Management Division, Logbook Program, P.O. Box 491500, Key Biscayne, FL 33149-9916**. Questions concerning your reporting requirements should be phoned to the Research Management Division at 305/361-4581. We cannot renew your permit(s) until all logbook reporting requirements are met.

TRANSFERS

- All permit transfer requests must include, as a minimum: an application, the original permits with appropriate signatures on the back, the appropriate fees, and a copy of the unexpired U.S. Coast Guard Certificate of Documentation or state registration certificate.
- **SIGNATURES ON PERMITS:** provide the **valid** (not expired) **ORIGINAL (not a copy)** transferable permit(s) with the signatures of the seller on the reverse of the permit.
 - If the sellers are a joint ownership, ALL persons that sell the permit **MUST** sign the permit.
 - The seller's signature(s) must be notarized.
 - **Print** the name of the new permit holder (individual(s) or business) as the receiving vessel permit owner.
 - If transferring to a different vessel owned by the same entity (person or business), no signatures are required unless the permit(s) is a Gulf of Mexico Charter/Headboat Permit(s).
 - Signatures are required to transfer Gulf of Mexico Charter/Headboat Permit(s) to certify that you have removed the charter/headboat permit sticker from the old vessel.
 - Permits sold by a business must be signed by an officer or shareholder of the business. The correct format must include the signature, the person's position in the business and the company name, for example:
John Doe, President, ABC Fishing Inc.
- Applications for the transfer of Gulf of Mexico Charter/Headboat permits must provide a copy of the unexpired USCG Operator of Uninspected Passenger Vessel License or Masters License. And, if larger than a 6-pack, you must also provide a copy of the vessel's unexpired Certificate of Inspection (COI).
- Gulf of Mexico Charter/Headboat permits (including Historical Captain permits) may not be transferred to a vessel that has a larger U.S. Coast Guard passenger capacity rating than the permit's baseline passenger rating. For example, a 10 passenger permit may not be transferred to a vessel with a COI for 12 passengers. Permits with a 6 passenger rating (6 pack) may only be transferred to an uninspected vessel (another "6 pack" vessel).
- Upon transfer of a Gulf of Mexico moratorium Coastal Migratory Pelagic Charter/Headboat permit and/or Gulf of Mexico moratorium Reef Fish Charter/Headboat permit, the Federal Charter/Headboat **decal must be removed** from your vessel.
- New owners of Limited Access/Moratorium permits must meet the earned income requirement not later than the first full calendar year after the issuance of the permit.
- Transfer of Atlantic SHARK or SWORDFISH permits for swordfish handgear or swordfish and shark directed permits are subject to vessel size increase limitations.
- If the vessel is leased/rented/leased to own, include a copy of the current lease agreement. Both the vessel owner(s) and the lessee(s) must sign and date the lease agreement. The lease must state the beginning and ending dates of the lease term. **Expired permits may not be transferred.**
- The following permits are NOT transferable:

<u>Charter Permits</u> South Atlantic Charter for Coastal Migratory Pelagic Fish South Atlantic Charter for Snapper-Grouper Atlantic Dolphin/Wahoo - Charter	<u>Commercial Permits</u> Spanish Mackerel Atlantic Dolphin/Wahoo - Commercial Spiny Lobster Spiny Lobster Tailing Rock Shrimp (Carolinas Zone) Gulf of Mexico Royal Red Shrimp Endorsement
---	---

DUPLICATE OR REPLACEMENT PERMITS

To request replacement of lost permits the USCG Official Number and/or the State Registration Number fields of Section 1 must be completed. Section 2 must be completed to indicate for which permit(s) duplicates are requested. The application must be signed in Section 7 by a permit owner. A check or money order for \$18 payable to the U.S. Treasury must accompany the application.

FEES

Fees for permit renewal, initial issuance and transfers are \$25 for the first permit, \$10 for each additional permit.

1 = \$25 2 = \$35 3 = \$45 4 = \$55 5 = \$65 6 = \$75 7 = \$85
 8 = \$95 9 = \$105 10 = \$115 11 = \$125 12 = \$135 13 = \$145 14 = \$155

A flat rate fee of \$18 is assessed for replacement of one or more permits issued to a single vessel.

EARNED INCOME OR GROSS SALES REQUIREMENTS FOR COMMERCIAL PERMITS

	KING & SPANISH MACKEREL	REEF FISH (GULF OF MEXICO)	SPINY LOBSTER
Percentage of earned income	At least 25%	More than 50%	At least 10%
Gross sales alternative	More than \$10,000 in sales of fish	N/A	N/A
Source of earned income	Commercial, charter, or headboat	Commercial, charter, or headboat	Sale of catch
Time frame for qualification	One of three years prior to application	Either of two years prior to application	Year prior to application

The following fisheries do not require any earned income:

COMMERCIAL

Atlantic Dolphin/Wahoo - Commercial
 Shark
 Swordfish
 Rock Shrimp (Carolinas Zone)
 Rock Shrimp (South Atlantic EEZ)
 Spiny Lobster Tailing
 South Atlantic Unlimited Snapper-Grouper excluding Wreckfish
 South Atlantic 225 lb. Trip Limit Snapper-Grouper excluding Wreckfish
 Gulf of Mexico Shrimp
 Gulf of Mexico Royal Red Shrimp Endorsement
 Atlantic Tuna Longline
 Gulf Of Mexico Reef Fish Bottom Longline Endorsement

CHARTER/HEADBOAT

Atlantic Dolphin/Wahoo - Charter
 Gulf of Mexico Coastal Migratory Pelagic Fish Charter/Headboat
 South Atlantic Coastal Migratory Pelagic Fish Charter/Headboat
 South Atlantic Charter for Snapper-Grouper
 Gulf of Mexico Reef Fish Charter/Headboat

An Income Qualification Affidavit is now accepted as proof of meeting permit income qualification requirements. A signed Income Qualification Affidavit will be required with every application to renew an income qualified permit.

KNOWINGLY SUPPLYING FALSE INFORMATION OR WILLFULLY OVERVALUING ANY FISHING INCOME FOR THE PURPOSE OF OBTAINING A PERMIT IS A VIOLATION OF FEDERAL LAW PUNISHABLE BY A FINE AND/OR IMPRISONMENT.

Public reporting burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing 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 suggestions for reducing this burden to Jason Rueter, National Marine Fisheries Service, F/SER22, 263 13th Avenue South, St. Petersburg, FL 33701.

The National Marine Fisheries Service requires this information for the conservation and management of marine fishery resources. The data reported will be used to develop, implement, and monitor fishery management activities for a variety of other uses. Responses to this collection are required to obtain or retain a fisheries permit under the Magnuson - Stevens Act. Non-confidential information may be released via a NOAA Fisheries website. Non-confidential information means: Name, Street Address, City, State, Zip code, Effective Date of Permit, Permit Types, Vessel Name, Vessel Identification Number, and Passenger Capacity in the case of a "for hire" vessel for individual, corporate and lease holders of permits. All other data submitted will be handled as confidential material in accordance with NOAA Administrative Order 216-100, Protection of Confidential Fishery Statistics. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected 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.

ACTIVITIES FOR WHICH PERMITS ARE REQUIRED

OPEN ACCESS PERMITS (New permits may be issued; these permits may NOT be transferred)

ATLANTIC DOLPHIN-WAHOO CHARTER VESSEL/HEADBOAT- For a person aboard a vessel that is operating as a charter vessel/headboat to fish for or possess a dolphin-wahoo in or from Federal waters in the Atlantic, an Atlantic dolphin-wahoo charter vessel/headboat permit must be issued to that vessel. There are no earned income or landing requirements for this permit. An owner of a charter vessel/headboat who desires to sell dolphin is required to obtain a dolphin-wahoo commercial vessel permit (see below) in addition to the charter vessel/headboat permit. (The sale of wahoo harvested in the Atlantic EEZ by a vessel operating as a charter vessel/headboat is not allowed.) The permit will only be valid if there is someone on the vessel that has a valid Vessel Operator Permit Card issued by the Southeast Regional Office of NMFS or by the Northeast Regional Office of NMFS.

ATLANTIC DOLPHIN-WAHOO COMMERCIAL - A vessel must be issued an Atlantic dolphin-wahoo commercial permit to be eligible for exemption from the bag and possession limits for dolphin-wahoo in the Atlantic EEZ or to sell dolphin-wahoo harvested in the Atlantic EEZ. . The permit will only be valid if there is someone on the vessel that has a valid Vessel Operator Permit Card issued by the Southeast Regional Office of NMFS or by the Northeast Regional Office of NMFS.

SOUTH ATLANTIC COASTAL MIGRATORY PELAGIC CHARTER OR SNAPPER-GROUPER CHARTER - For a person aboard a vessel that is operating as a charter vessel or headboat to fish for or possess a coastal migratory pelagic fish or snapper-grouper in or from Federal waters off the southern Atlantic states, a charter permit must be issued to the vessel and be on board. These permits do NOT allow for the sale of fish caught under these permits.

SOUTH ATLANTIC SHRIMP - For a person aboard a trawler to fish for penaeid shrimp (brown, pink, or white shrimp) in the South Atlantic EEZ or possess penaeid shrimp in or from the South Atlantic EEZ, a valid (not expired) commercial vessel permit for South Atlantic penaeid shrimp must have been issued to the vessel and must be on board.

GULF OF MEXICO ROYAL RED SHRIMP ENDORSEMENT – For a person aboard a vessel to fish for royal red shrimp in the Gulf of Mexico EEZ or possess royal red shrimp in the Gulf of Mexico EEZ, a valid vessel permit for Gulf of Mexico shrimp **and** a royal red shrimp endorsement must have been issued to the vessel and must be on board. This endorsement is not transferable.

SPANISH MACKEREL - For a person aboard a vessel in Federal waters to be eligible for exemption from the bag limits and to fish under a commercial allocation for Spanish mackerel, a commercial permit must be issued to the vessel and be on board. At time of application income criteria must be submitted. *If applying for a Spanish mackerel permit, earned income or gross sales requirement must be met at time of application. See Earned Income or Gross Sales Requirements for Commercial Permits on page 4.*

SPINY LOBSTER - For a person aboard a vessel in Federal waters off of Texas, Louisiana, Mississippi, or Alabama to be exempt from the daily catch and possession limit, a commercial spiny lobster permit must be issued to the vessel and be on board. Florida's requirements apply to a vessel fishing in Federal waters off Florida. The daily bag or possession limit for spiny lobster in or from the EEZ of the southern Atlantic states other than Florida (North Carolina, South Carolina, and Georgia), is two per person for recreational and commercial fishing year round. To possess a separated spiny lobster tail in or from Federal waters, a tail-separation permit must be issued to the vessel and be on board. Tail separation permits may only be obtained for vessels that, due to the nature of the fishing, are required to remain at sea for 48 hours or longer. *If applying for a commercial spiny lobster permit, the income requirement must be met at time of application. See Earned Income Requirements for Commercial Permits on page 4.*

LIMITED ACCESS/MORATORIUM PERMITS (new permits will NOT be issued; these permits MAY be transferred)
Please note that charter permits DO NOT allow you to sell fish caught on a charter.

SOUTH ATLANTIC ROCK SHRIMP - SOUTH ATLANTIC ROCK SHRIMP - For a person aboard a fishing vessel to fish for rock shrimp in Federal waters from Georgia and the east coast of Florida, a Rock Shrimp (South Atlantic EEZ) permit is required. For a person aboard a fishing vessel to fish for rock shrimp in Federal waters from the Virginia/North Carolina border to the East Coast of Florida, either a Rock Shrimp (South Atlantic EEZ) permit or a South Atlantic Rock Shrimp (Carolinas EEZ) permit is required. To transfer a Rock Shrimp (South Atlantic EEZ), the original valid (not expired) permit must be signed and notarized as required, and returned with the application and all applicable documents. **Permits must be renewed within one year of the expiration date – expired permits may not be transferred**

A vessel may not be issued both a Rock Shrimp (South Atlantic EEZ) and a Rock Shrimp (Carolinas Zone) permit simultaneously. If a vessel has been issued a Rock Shrimp (Carolinas Zone) permit, which is valid (not expired) as of the date of this application, and the vessel owner is applying for a Rock Shrimp (South Atlantic EEZ) permit on the same vessel, the Rock Shrimp (Carolinas Zone) permit must first be surrendered to the NMFS. Similarly, if a vessel has been issued a Rock Shrimp (South Atlantic EEZ) permit, which is valid (not expired) as of the date of this application, and the vessel owner is applying for a Rock Shrimp (Carolinas Zone) permit on the same vessel, the Rock Shrimp (South Atlantic EEZ) permit must first be transferred from the vessel or surrendered to the NMFS.

SOUTH ATLANTIC SNAPPER-GROUPER EXCLUDING WRECKFISH PERMITS - For a person aboard a vessel in Federal waters to be eligible for exemption from the bag limits, to engage in a directed fishery for tilefish or to use a sea bass pot, a commercial permit must be issued to the vessel and be on board. Permits for the South Atlantic snapper-grouper fishery are under a limited entry program. No new vessels may be permitted except by transfer of a valid (not expired) permit. A person desiring to acquire a permit for South Atlantic unlimited snapper-grouper (excluding wreckfish) must obtain and exchange two such permits for one new permit. South Atlantic snapper-grouper (excluding wreckfish) 225 trip limit permits are only transferable to a vessel owned or leased by the same permit owner; ownership of the permit may not be transferred. The original valid (not expired) permits must be returned with the application and all applicable documents. **Permits must be renewed within 60 days of the expiration date – expired permits may not be transferred.**

GULF OF MEXICO COASTAL MIGRATORY PELAGIC CHARTER - For a person aboard a vessel that is operating as a charter vessel or headboat to fish for or possess a coastal migratory pelagic fish in or from Federal waters in the Gulf of Mexico, a moratorium charter permit must be issued to the vessel and be on board. Permits for Gulf coastal migratory pelagic charter are under a moratorium. No new vessel may be permitted except by transfer of a valid (not expired) permit. To transfer a Gulf of Mexico Charter/Headboat for Coastal Migratory Pelagic fish permit, the original valid permit must be signed and notarized as required, and returned with an application and all applicable documents. **Permits must be renewed within one year of the expiration date – expired permits may not be transferred.**

GULF OF MEXICO REEF FISH CHARTER - For a person aboard a vessel that is operating as a charter vessel or headboat to fish for or possess a reef fish in or from Federal waters of the Gulf of Mexico, a moratorium charter permit must be issued to the vessel and be on board. Permits for Gulf of Mexico reef fish charter are under a moratorium. No new vessel may be permitted except by transfer of a valid (not expired) permit. To transfer a Gulf of Mexico Charter/ Headboat for Reef Fish permit, the original valid (not expired) permit must be signed and notarized as required and, returned with an application and all applicable documents. **Permits must be renewed within one year of the expiration date– expired permits may not be transferred.**

LIMITED ACCESS/MORATORIUM PERMITS (CONTINUED)

GULF OF MEXICO COMMERCIAL REEF FISH - As a prerequisite to sell reef fish in or from Federal waters and to be eligible for exemption from the bag limits, a commercial permit must be issued to the vessel and be on board. Permits for the commercial reef fish fishery are under a limited entry program. No new vessels may be permitted except by transfer of a valid (not expired) permit. To transfer a Gulf of Mexico Reef Fish permit, the original valid (not expired) permit must be signed and notarized as required, and returned with the application and all applicable documents. **Permits must be renewed within one year of the expiration date – expired permits may not be transferred.** Please note: Gulf of Mexico Reef Fish Permits may only be renewed or transferred on vessels that have an installed, activated and operational VMS (Vessel Monitoring System).

GULF OF MEXICO COMMERCIAL REEF FISH BOTTOM LONGLINE ENDORSEMENT - For a person aboard a vessel for which a commercial vessel permit for Gulf reef fish has been issued to use a bottom longline for Gulf reef fish in the Gulf EEZ east of 85° 30' W, a valid eastern Gulf reef fish bottom longline endorsement must have been issued to the vessel and must be on board. An endorsement may only be transferred to an owner of a vessel that has a valid commercial vessel permit for Gulf reef fish. **Permits must be renewed within one year of the expiration date – expired endorsements may not be transferred.**

GULF OF MEXICO SHRIMP - As of March 26, 2007, permits for the Gulf of Mexico shrimp fishery are under a moratorium program. For a person aboard a vessel to fish for or shrimp in the Gulf of Mexico EEZ or possess shrimp in or from the Gulf of Mexico EEZ, a valid commercial vessel permit for Gulf of Mexico shrimp must have been issued to the vessel and must be on board. To transfer a Gulf of Mexico shrimp permit, the original valid permit must be signed and notarized as required and, returned with the application and all applicable documents. **Permits must be renewed within one year of the expiration date– expired permits may not be transferred.**

KING MACKEREL - For a person aboard a vessel in Federal waters to be eligible for exemption from the bag limits and to fish under a commercial allocation for king mackerel, a commercial permit must be issued to the vessel and be on board. Permits for King Mackerel are under a limited entry program. No new vessel may be permitted except by transfer of a valid (not expired) permit. To transfer a King Mackerel permit, the original valid (not expired) permit must be signed and notarized as required, and returned with the application and all applicable documents. **Permits must be renewed within one year of the expiration date– expired permits may not be transferred.**

GILLNET FOR KING MACKEREL - For a person aboard a vessel in Federal waters to use a run-around gillnet for King Mackerel in the southern Florida west coast subzone, a commercial gillnet permit for King Mackerel must be issued to the vessel and be on board. Gillnet permits for King Mackerel are under a limited entry program. No new vessel may be permitted except by transfer of a valid (not expired) permit. Gillnet permits for King Mackerel may only be transferred to an immediate family member (mother, father, husband, wife, son, daughter, brother, sister). To transfer a gillnet for King Mackerel permit, the original valid (not expired) permit must be signed and notarized as required, and returned with the application and all applicable documents. **Permits must be renewed within one year of the expiration date– expired permits may not be transferred.**

SHARK - As a prerequisite to sell a shark in or from Federal waters and to be eligible for exemption from the bag limits, a commercial permit must be issued to the vessel and be on board. Permits for the shark fishery are under a limited entry program. No new vessels may be permitted except by transfer of a valid (not expired) limited entry permit. To transfer a shark permit, the original valid permit must be signed and notarized as required, and returned with the application and all applicable documents. **Permits must be renewed within one year of the expiration date – expired permits may not be transferred.**

SWORDFISH - To fish for or possess swordfish in or from the North Atlantic Ocean, or take swordfish as bycatch, whether or not retained, a commercial permit must be issued to the vessel and be on board. Permits for the swordfish fishery are under a limited entry program. No new vessels may be permitted except by transfer of a valid (not expired) limited entry permit. To transfer a swordfish permit, the original valid (not expired) permit must be signed and notarized as required and, returned with the application and all applicable documents. **Permits must be renewed within one year of the expiration date – expired permits may not be transferred.**

ATLANTIC TUNA LONGLINE: Vessel owners conducting longline operations that may result in the incidental taking of large, medium and giant bluefin or in the directed/incidental taking of other Atlantic tunas must obtain this permit. The number of longline permits is limited, i.e., a vessel owner seeking to obtain a longline permit must obtain a longline permit from a qualified permit holder. Important: A total of 3 permits must be obtained to use longline to fish for tunas: swordfish, shark, and tuna longline permits. The shark and swordfish permit may be either directed or incidental. Directed swordfish and shark permits are subject to upgrading and ownership restrictions. For further information on swordfish, shark, or tuna regulations, please call the Highly Migratory Species Management Division at (301) 713-2347.

*******IMPORTANT INFORMATION*******

For all transferable permits – an expired permit MAY be transferred only when the seller(s) has signed over the permit AND the seller's signature(s) was notarized BEFORE the expiration date. Otherwise, an expired permit must be renewed by the permit holder shown on the front of the permit before it can be signed over for transfer to ownership by another entity. Permits that have been expired for more than 1 year (60 days for Commercial South Atlantic Snapper-Grouper permits) and have been terminated will not be transferred or renewed.

in § 721.170(b)(4)(ii) as discussed in Unit II.A., EPA determined that there was a concern for potential environmental effects of the substance and promulgated a non-5(e) SNUR for this chemical substance.

Under § 721.185, EPA may at any time revoke a SNUR for a chemical substance which has been added to subpart E of 40 CFR part 721 if EPA makes one of the determinations set forth in § 721.185(a)(1) through (a)(6).

Revocation may occur on EPA's initiative or in response to a written request. Under § 721.185(b)(3), if EPA concludes that a SNUR should be revoked, the Agency will propose the changes in the **Federal Register**, briefly describe the grounds for the action, and provide interested parties an opportunity to comment.

EPA has determined that the criteria set forth in § 721.185(a)(4) have been satisfied for the chemical substance; therefore, EPA is proposing to revoke the SNUR provisions for this chemical substance. When this revocation becomes final, EPA will no longer require notice of intent to manufacture, import, or process this substance for any significant new uses. In addition, export notification requirements under section 12(b) of TSCA triggered by this SNUR will no longer be required.

III. Statutory and Executive Order Reviews

This proposed rule would revoke or eliminate an existing regulatory requirement and does not contain any new or amended requirements. As such, the Agency has determined that this proposed SNUR revocation would not have any adverse impacts, economic or otherwise.

The Office of Management and Budget (OMB) has exempted these types of regulatory actions from review under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993). This proposed rule does not contain any information collections subject to approval under the Paperwork Reduction Act (PRA), (44 U.S.C. 3501 *et seq.*). Since this proposed rule eliminates a reporting requirement, the Agency certifies pursuant to section 605(b) of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), that this SNUR revocation would not have a significant economic impact on a substantial number of small entities.

For the same reasons, this action does not require any action under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104-4). This proposed rule has neither Federalism implications, because it would not have substantial direct effects on States, on

the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999), nor tribal implications, because it would not have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 9, 2000).

This action is not subject to Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997), because this is not an economically significant regulatory action as defined under Executive Order 12866, and it does not address environmental health or safety risks disproportionately affecting children. It is not subject to Executive Order 13211, entitled *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use* (66 FR 28355, May 22, 2001), because this action is not expected to affect energy supply, distribution, or use. Because this action does not involve any technical standards, section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note), does not apply to this action. This action does not involve special considerations of environmental justice related issues as required by Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994).

List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: December 22, 2009.

Barbara A. Cunningham,
Acting Director, Office of Pollution Prevention and Toxics.

Therefore, it is proposed that 40 CFR part 721 be amended as follows:

PART 721—[AMENDED]

1. The authority citation for part 721 continues to read as follows:

Authority: 15 U.S.C. 2604, 2607, and 2625(c).

§ 721.5995 [Removed]

2. By removing § 721.5995.

[FR Doc. E9-30990 Filed 12-30-09; 8:45 am]

BILLING CODE 6560-50-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

RIN 0648-AX67

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 31

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of Availability of Amendment 31 to the Fishery Management Plan for Reef Fish Resources of the Gulf of Mexico; request for comments.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) has submitted Amendment 31 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP) for review, approval, and implementation by NMFS. Amendment 31 proposes actions to address sea turtle bycatch in the bottom longline component of the Gulf of Mexico (Gulf) reef fish fishery. The measures contained in the subject amendment are intended to balance the continued viability of the bottom longline component of the reef fish fishery while maintaining adequately protective measures for sea turtles.

DATES: Comments must be received no later than 5 p.m., eastern time, on March 1, 2010.

ADDRESSES: You may submit comments on the amendment to the proposed rule, identified by "0648-AX67" by any of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal e-Rulemaking Portal: <http://www.regulations.gov>.
- Fax: 727-824-5308; Attention: Cynthia Meyer.
- Mail: Cynthia Meyer, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

Instructions: No comments will be posted for public viewing until after the comment period has closed. All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov>

without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

To submit comments through the Federal e-Rulemaking Portal: <http://www.regulations.gov>, enter "NOAA-NMFS-2008-0310" in the keyword search, then check the box labeled "Select to find documents accepting comments or submissions", then select "Send a Comment or Submission." NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only. No comments will be posted for public viewing until after the comment period has closed.

Copies of Amendment 31, which includes a draft environmental impact statement, an initial regulatory flexibility analysis, and a regulatory impact review may be obtained from the Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607; telephone 813-348-1630; fax 813-348-1711; e-mail gulfcouncil@gulfcouncil.org; or may be downloaded from the Council's website at <http://www.gulfcouncil.org/>.

FOR FURTHER INFORMATION CONTACT: Cynthia Meyer, telephone: 727-824-5305.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires each Regional Fishery Management Council to submit any fishery management plan or amendment to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving a plan or amendment, publish an announcement in the **Federal Register** notifying the public that the plan or

amendment is available for review and comment.

Background

In September 2008, NMFS released a report analyzing sea turtle takes by the bottom longline component of the reef fish fishery as documented by an observer program. Subsequently updated in April 2009, the report indicated that the number of hardshell sea turtle takes by the bottom longline component of the Gulf reef fish fishery had exceeded the incidental take estimates specified in a 2005 Biological Opinion. Therefore, action was needed to provide protection for threatened loggerhead sea turtles in compliance with the Endangered Species Act (ESA). To address this issue in the short-term while the Council developed a long-term management strategy, NMFS published an emergency rule effective May 18, 2009. The emergency rule prohibited longline fishing for reef fish in the eastern Gulf shoreward of a line approximating the 50-fathom depth contour, and prohibited all longline fishing in the eastern Gulf after the deep-water grouper and tilefish commercial quotas were filled.

On October 16, 2009, NMFS published a rule, under the authority of the ESA, to replace the emergency rule. The rule prohibits bottom longline fishing in the eastern Gulf shoreward of a line approximating the 35-fathom contour with a restriction of 1,000 hooks per vessel with no more than 750 hooks rigged for fishing or fished at any given time. The intended effect of the rulemaking is to maintain protective measures for loggerhead sea turtles as well as to maintain a viable bottom longline fleet pending the implementation of Amendment 31 or alternative long-term mitigation measures.

Specifically, Amendment 31 would modify the FMP to: 1) prohibit the use of bottom longline gear in the reef fish fishery east of Cape San Blas, Florida,

shoreward of a line approximating the 35-fathom (64-m) depth contour from June through August; 2) reduce the number of bottom longline vessels operating in the fishery through a longline endorsement provided only to vessel permits with demonstrated average annual landings of 40,000 lb (18,144 kg) of reef fish taken by fish traps or longlines during 1999-2007; and 3) restrict the number of hooks that may be possessed onboard each longline vessel to 1,000 hooks total, only 750 of which may be fished or rigged for fishing at any given time.

The Council has submitted Amendment 31 for review, approval, and implementation by the Secretary of Commerce. A proposed rule that would implement measures outlined in Amendment 31 has been received from the Council. In accordance with the Magnuson-Stevens Act, NMFS is evaluating the proposed rule to determine whether it is consistent with the FMP, the Magnuson-Stevens Act, the ESA, and other applicable law. If that determination is affirmative, NMFS will publish the proposed rule in the **Federal Register** for public review and comment.

Comments received by March 1, 2010, whether specifically directed to the amendment or the proposed rule, will be considered by NMFS in its decision to approve, disapprove, or partially approve the amendment. Comments received after that date will not be considered by NMFS in this decision. All comments received by NMFS on the amendment or the proposed rule during their respective comment periods will be addressed in the final rule.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: December 24, 2009.

Alan D. Risenhoover,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

[FR Doc. E9-31068 Filed 12-30-09; 8:45 am]

BILLING CODE 3510-22-S