

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 08/02/2012

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

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 03/22/2012

ACTION REQUESTED: Extension without change of a currently approved collection  
TYPE OF REVIEW REQUESTED: Regular  
ICR REFERENCE NUMBER: 201203-0648-001  
AGENCY ICR TRACKING NUMBER:  
TITLE: Northeast Region Surfclam and Ocean Quahog Individual Transfer Quota (ITQ) Administration  
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change  
OMB CONTROL NUMBER: 0648-0240  
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: 08/31/2015 DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	526	45	109,421
New	388	33	109,374
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	-138	-12	-47
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
Application to Shuck Surf Clams/Ocean Quahogs at Sea	NA	Application to Shuck Surfclams/Ocean Quahogs at Sea	
ITQ Transfer Request Form	NA	Request for Atlantic Surfclam or Ocean Quahog ITQ Allocation or Cage Tag Transfer	

# PAPERWORK REDUCTION ACT SUBMISSION

**Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) ( <i>if applicable</i> )	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	
10. Abstract	
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

**NOTE:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT  
NORTHEAST REGION SURF CLAM AND OCEAN QUAHOG INDIVIDUAL  
TRANSFER QUOTA (ITQ) ADMINISTRATION  
OMB CONTROL NO. 0648-0240**

**A. JUSTIFICATION**

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

This request is for extension of this information collection.

**Individual transferable quota**

Amendment 8 to the Atlantic Surfclam and Ocean Quahog Fishery Management Plan, developed under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#) (16 USC 1801 *et seq.*) became effective September 30, 1990. The amendment provided for individual transferable quotas (ITQs) by species (surfclam or ocean quahog) for individuals who were qualified to receive an ITQ for either or both species. ITQs were issued in September, 1990 to individual owners, based on their percentage share of the annual allowed quota for harvest.

Allocations are expressed in terms of bushels, but tracked and transferred in terms of the cages in which harvested product is landed and shipped (a cage contains 32 bushels of product). To facilitate enforcement and tracking, sequentially numbered tags are issued to each owner on an annual basis and all cages of product must be tagged, with tag use reported by both the harvesting vessel and the purchasing dealer. Each allocation owner is issued an allocation permit which specifies the amount of their allocation and the tag numbers they are required to use during the harvest of their allocation. Individual allocations are transferable per regulations found at [50 CFR 648.74\(b\)](#). Owners may transfer their allocation on a permanent basis or may transfer tags to other vessel owners to use on a temporary (annual) basis. This transferability means that the allocation ownership frequently changes.

The ITQ Allocation Transfer Form is required by the National Marine Fisheries Service (NMFS) to process and register ITQ transactions. Information required on the transfer form includes allocation owner name, allocation number (assigned by NMFS for internal tracking), and the numbers of tags associated with the transfer. Once processed, new allocation permits are issued and all NMFS databases are updated.

**Shucking clams at sea**

Because of potential difficulties in disposing of clam shells on shore, Amendment 8 allowed for the Regional Administrator to approve requests to shuck product at sea. However, because of the difficulties involved in converting the volume of shucked clam meats to bushels, the regulations allow shucking at sea only if the vessel carries a NMFS-approved observer. The

observer is necessary to certify the amount, in bushels, of unshucked product that the vessel has processed at sea. The regulations authorizing this collection are found at [50 CFR 648.75](#).

This information collection includes the form to request the transfer of ITQ allocation or cage tags and the application to request authorization to shuck product at sea. The latter collection includes the cost of carrying a NMFS-approved observer if the application is accepted. These two information collections are necessary to the administration and the monitoring of quota for the Atlantic surfclam and ocean quahog ITQ programs.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used.**

The information on the ITQ transfer form is used by NMFS to maintain a proper accounting of an individual or corporation's quota share. Allocation permits, which are mailed to the allocation holder after each transaction, serve as receipts showing the allocation holder's current account balance. The allocation permits are used by NMFS Office of Law Enforcement to verify that individual harvesters are authorized to use the tags they possess, and to ensure that individual allocations are not exceeded since overfishing of individual allocations would lead to overfishing of the overall species quota. Specific questions on the form include the type of transfer requested (permanent or temporary), the name and ITQ allocation numbers of the transferor and the transferee, and the cage tags requested to be transferred. These data fields are necessary in order to identify the companies or individuals and ITQ tags involved in the transaction.

If an entity is a new entrant to the fishery, an ITQ allocation number needs to be assigned. This is a one-time requirement per entity. Section 4 of the application requests standard contact information (name, address, fishing vessel, and telephone number) as well as verification that the entity is eligible to own a documented vessel under the terms of 46 U.S.C. 12102(a). This section of the United States (U.S.) Code outlines the U.S. citizenship requirements for documenting a vessel with the U.S. Coast Guard. Since the ITQ program conveys certain ownership rights over a natural resource of the Northeastern U.S., it is required that the allocation owner meet the same citizenship requirements as that required to document a fishing vessel. This requirement is authorized at § 648.74(b)(1). Both parties involved in the transfer, or their authorized agents, are required to sign the form.

The information contained in the application to shuck product at sea is used by the NMFS to evaluate if the process used to shuck at sea allows for the proper accounting of the harvest in terms of unshucked bushels, which is the measure used to monitor the quota. The NMFS-approved observer is necessary to certify the information reported in the vessel's shellfish logbook. Information requested includes the applicant's contact information (name, address, and ITQ allocation number), specifications of the harvesting vessel, and accommodations for the observer. Specifications on the harvesting vessel and the harvesting process are required in order to evaluate if the operations facilitate the proper accounting of harvested unshucked product. As mentioned previously, the quotas are monitored and enforced using unshucked bushels. Thus any authorization to deviate from this method of accounting needs to be thoroughly evaluated.

Since a NMFS-approved observer is required to certify the vessel's shellfish logbook, NMFS requires that suitable accommodations for the observer are available on the vessel.

Minor change to both forms: A box has been added for the printed applicant name, where previously only the signature was requested.

NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with National Oceanic and Atmospheric Administration (NOAA) standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications. Should NOAA Fisheries Service decide to disseminate the information, it will be subject to the quality control measures and pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

Both the application to shuck at sea and the ITQ transfer form are available online in a fillable and printable version through the NMFS forms portal at [http://www.nmfs.noaa.gov/gpea\\_forms/forms.htm](http://www.nmfs.noaa.gov/gpea_forms/forms.htm).

Because the ITQ transfer form is used to transfer individual property rights, NMFS General Counsel requires a hard copy of the ITQ Transfer Form with an original signature. However, General Counsel has since revised this decision and has now determined that a unique electronic password and pin are also acceptable forms of verification in lieu of original signatures. NMFS is currently working to allow ITQ transfer forms to be completed and submitted electronically through our existing fish-on-line web application currently used in the Northeast Region for similar leasing programs in other fisheries.

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

The information requested is unique to this fishery; thus, there is no duplication of items in this collection with other collections. Since NMFS is the lead agency implementing the Magnuson-Stevens Act, NMFS is very aware of all information collections required from fishermen.

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

Small businesses are the primary respondents of the data collection. The form used to gather data on ITQ transfers is designed to be simple and easy to complete, thus saving time for both the respondents and managers of the system. The ability to make timely transfers gives these

businesses the flexibility to make rational business decisions. The application to shuck product at sea is required only if the entity wishes to shuck product at sea. The authorization to shuck at sea is valid for one year.

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

The frequency of submission is dependant upon how often the allocation holder desires to transfer quota. If the information collection was not conducted, NMFS could not properly monitor and enforce the quota restrictions in the Atlantic surfclam and ocean quahog ITQ program. If the application and the requirement to carry an observer for operations where product is shucked at sea were removed then a means to verify the quantity of product harvested by the vessel would not exist. The consequences from the removal of either of these information collections would compromise the ability of NMFS to conserve and manage the resource.

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

This information collection is consistent with OMB guidelines.

**8. Provide a copy of the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

A Federal Register Notice published on October 20, 2011 (76 FR 65180) soliciting public comment on this renewal. No comments were received.

The ITQ management system was developed under the Magnuson-Stevens Act, and was the subject of extensive public hearing and public comment. As the ITQ management system has evolved operationally, comment has been obtained on an ongoing basis through the Mid-Atlantic Fishery Management Council's Industry Advisors and Surfclam/Ocean Quahog Subcommittee.

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

No payments or gifts are made.

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

Transfer Form: The NMFS General Counsel has ruled that allocation information is public information because the ITQ system assigns shares of a public resource to the allocation holders. Industry participants are well aware of this fact, and they are among the primary requesters of this information as they seek to transfer or obtain allocation.

Application to Shuck at Sea: As stated on the form, the application to shuck at sea is considered confidential because it requires the applicant to submit methodology developed by the vessel permit holder or vessel operator that could be unique and confidential to private business operations and procedures.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

No sensitive questions are asked.

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

Table 1 below summarizes the burden hours estimated for this collection. The average annual number of ITQ transfer requests processed by NMFS from 2009 to 2011 was 387. It is estimated that each form takes approximately 5 minutes to complete. Thus, the annual burden for the ITQ Transfer Request Form is approximately 32 hours. NMFS did not receive any applications to shuck at sea from 2009 to 2011 but is including the burden for one application. It is estimated that the time to gather the necessary information pertaining to the shuck at sea application takes 30 minutes per submission. Thus, the total burden for this collection of information is 33 hours.

**Table 1. Cost and burden hours<sup>1</sup>**

Information Collection	Number of Respondents	Frequency of Responses	Number of Responses	Average Time per Response	Total Response Time	Cost to Public	Cost to Government
ITQ Transfer Request Form <sup>2,3</sup>	169 <sup>2</sup>	5 <sup>2</sup>	387	5 minutes	32 hours	\$174	\$807
Shuck-at-Sea Application	1	1	1	30 minutes	1 hour	\$109,200	\$25
TOTAL	170	6	388	35 minutes	33 hours	\$109,374 <sup>4</sup>	\$832
PREVIOUS APPROVALS TOTAL	207	4	526	35 minutes	45 hours	\$218,615	\$1,150
NET CHANGE	-37	-2	-138	0	-12 hours	-\$109,241	-\$318

<sup>1</sup> Based on 2009 to 2011 annual averages.

<sup>2</sup> The “Number of Respondents” and “Frequency of Responses” treats each surfclam and ocean quahog ITQ allocation permit as separate and distinct entity. This creates a numerical inconsistency because a single entity can hold both types of ITQ allocation permits.

<sup>3</sup> The total number of entities using the ITQ Transfer Request Forms will always be 2, a transferor and a transferee. This causes a numerical inconsistency between the “Number of Respondents”, “Frequency of Responses”, and “Number of Responses”, because entities frequently submit multiple forms as either transferors or transferees.

<sup>4</sup> This cost includes the cost to carry a NMFS-approved observer on board the vessel during trips where product is shucked at sea.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).**

The annual cost burden of this collection of information is summarized in Table 1.

The cost burden for the ITQ Transfer Request Form or the Shuck-at-Sea Application is based on the postage of \$0.45 per first-class stamp, for a total of \$174. The cost to carry an observer as part of the authorization to shuck product at sea is based upon a rate of \$700 per day at sea to carry the observer, for an average of 156 sea days per vessel. This yields an annual cost of approximately \$109,200 for this collection of information.

The total costs are estimated to be \$109,374.

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

The annual cost to the Federal government is summarized in Table 1.

The cost to the Federal government to process an ITQ Transfer Request Form is based on a rate of \$25 per hour and a processing time of 12 transfers per hour. This gives an annual cost of \$806. The application to shuck product at sea takes approximately 30 minutes per application to

process at a rate of \$25 per hour. This gives an annual cost of \$25. Thus, the total cost to the Federal government for this collection of information is estimated at \$831. There are virtually no mailing costs, as the ITQ form is available online, and there are so few requests for the Shuck at Sea application.

**15. Explain the reasons for any program changes or adjustments.**

Adjustments made to this renewal reflect the most recent data regarding average annual ITQ transfer requests received and the current cost of mailing a letter via standard first class mail. There has been a slight increase in annual cost per response due to postage increases. However, there is a decrease in time burden of 12 hours, as the calculation of the 2009 to 2011 annual activity showed an average annual decrease of 138 responses, and thus there is a related decrease of \$47 for the ITQ Transfer Request Form. No Shuck at Sea applications were received from 2009 to 2011, but the burden was analyzed at one submission – as it was in 2008. The total burden reduction is thus 138 responses, 12 hours and \$109,241.

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

The results will not be published.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

The expiration date will be displayed.

**18. Explain each exception to the certification statement.**

There are no exceptions.

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

This collection does not employ statistical methods.

Application to Shuck  
Surfclams/Ocean Quahogs  
at Sea



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
National Marine Fisheries Service  
Northeast Region  
55 Great Republic Drive  
Gloucester, MA 01930-2298

In order to receive authorization to shuck surfclams or ocean quahogs at sea, please provide the information requested below and mail to:

Regional Administrator  
National Marine Fisheries Service  
55 Great Republic Drive  
Gloucester, MA 01930

This application is required under 50 CFR 648.75 in order to obtain a shucking-at-sea permit for the Atlantic surfclam and ocean quahog fisheries. Information provided on the application will allow the Regional Administrator to determine if a vessel has the capability to calculate the amount of surfclams or ocean quahogs harvested in the shell. This information is needed to execute the individual transferable quota system which uses unshucked bushels as a standard unit of measure.

Name: (Print legibly)	
Vessel Name:	
Federal Permit #:	
Doc/Reg #:	
Street:	
City/ State/ Zip:	
Telephone:	
<input type="checkbox"/>	U.S. citizen requirement. By checking this box you are indicating that you are eligible to own a documented vessel under the terms of 46 U.S.C. 12102(a) and are able to provide documentation attesting to such eligibility if requested by the National Marine Fisheries Service.

On an attachment, or the back of this form, please describe the method to be used to calculate the amount of surfclams or ocean quahogs harvested in the shell.

Vessel Dimensions: (Length and Gross Tonnage)	Observer Accommodations:
Anticipated Trip Length:	
Signature:	Date:

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instruction, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Send comments regarding this burden estimate to: NMFS, 55 Great Republic Drive, Gloucester, MA 01930. 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.

OMB Control No. 0648-0240; Expiration Date: 12/31/2015



# Request for Atlantic Surfclam or Ocean Quahog ITQ Allocation or Cage Tag Transfer



**United States Department of Commerce**  
National Oceanic and Atmospheric Administration  
National Marine Fisheries Service  
Northeast Region  
55 Great Republic Drive  
Gloucester, MA 01930

**Section 1.** Check which type of transfer you are requesting:

<input type="checkbox"/>	<b>Permanent ITQ Allocation Transfer</b>
<input type="checkbox"/>	<b>Temporary Cage Tag Transfer</b>

**Section 2.**

<b>Transferer (Seller)</b>			
Name:		Allocation Number:	
<b>Cage Tags to be Transferred</b>			
	Beginning Tag Number	Ending Tag Number	Total Tags
Tag Series 1:			
Tag Series 2:			
Tag Series 3:			

**Section 3.**

<b>Transferee (Buyer)</b>	
Name:	*Allocation Number:
List of allocation numbers in which an interest is owned:	* If an allocation number has not been issued Section 4 of this form must be completed. NMFS will issue an allocation number upon receipt of the completed application.

**Section 4.**

Name:	
Vessel (if applicable):	
Street:	
City/ State/ Zip:	
Telephone:	
<input type="checkbox"/>	U.S. citizen requirement. By checking this box you are indicating that you are eligible to own a documented vessel under the terms of 46 U.S.C. 12102(a) and are able to provide documentation attesting to such eligibility if requested by NMFS.

**Section 5.**

Signature of Transferer or Authorized Agent:	Signature of Transferee or Authorized Agent:
Date:	Date:

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including time for reviewing instruction, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Send comments regarding this burden estimate to: NMFS, 55 Great Republic Drive, Gloucester, MA 01930. 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.



**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****Proposed Information Collection; Comment Request; Application to Shuck Surf Clams/Ocean Quahogs at Sea**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before December 19, 2011.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Douglas Potts, (978) 281-9341 or [Douglas.Potts@noaa.gov](mailto:Douglas.Potts@noaa.gov).

**SUPPLEMENTARY INFORMATION:****I. Abstract**

National Marine Fisheries Service (NMFS) Northeast Region manages the Atlantic surfclam and ocean quahog fisheries of the Exclusive Economic Zone (EEZ) of the Northeastern United States through the Atlantic Surfclam and Ocean Quahog Fishery Management Plan (FMP). The Mid-Atlantic Fishery Management Council prepared the FMP pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The regulations implementing the FMP are specified at 50 CFR 648.70.

The recordkeeping and reporting requirements at § 648.74 and § 648.75 form the basis for this collection of information. NMFS Northeast Region requests information from Atlantic surfclam and ocean quahog individual transferable quota (ITQ) allocation holders in order to process and track requests from the allocation holders to transfer quota allocation to another entity. NMFS Northeast Region also requests information from Atlantic

surfclam and ocean quahog permit holders in order to track and properly account for Atlantic surfclam and ocean quahog harvest that is shucked at sea. Because there is not a standard conversion factor for estimating unshucked product from shucked product, NMFS requires vessels that choose to shuck product at sea to carry on board the vessel a NMFS-approved observer to certify the amount of Atlantic surfclam and ocean quahog harvested. This information, upon receipt, results in an increasingly more efficient and accurate database for management and monitoring of fisheries of the Northeastern U.S. EEZ.

**II. Method of Collection**

Requests from allocation holders to transfer quota use paper applications or an online form. Paper applications are used to process requests to shuck at sea.

**III. Data**

*OMB Control Number:* 0648-0240.

*Form Number:* None.

*Type of Review:* Regular submission (extension of a currently approved information collection).

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 205.

*Estimated Time per Response:* 5 minutes for the application to transfer quota, and 30 minutes for the application to shuck surfclams and ocean quahogs at sea.

*Estimated Total Annual Burden Hours:* 45.

*Estimated Total Annual Cost to Public:* \$109,421.

**IV. Request for Comments**

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: October 14, 2011.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 2011-27130 Filed 10-19-11; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****Proposed Information Collection; Comment Request; Deep Seabed Mining Exploration Licenses**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before December 19, 2011.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Kerry Kehoe (301) 713-3155 extension 151, or [Kerry.Kehoe@noaa.gov](mailto:Kerry.Kehoe@noaa.gov).

**SUPPLEMENTARY INFORMATION:****I. Abstract**

This request is for extension of a currently approved information collection.

NOAA's regulations at 15 CFR 970 govern the issuing and monitoring of exploration licenses under the Deep Seabed Hard Mineral Resources Act. Any persons seeking a license must submit certain information that allows NOAA to ensure the applicant meets the standards of the Act. The persons with licenses are required to conduct monitoring and make reports, and they may request revisions, transfers, or extensions of licenses.