

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 04/23/2012

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 01/19/2012

ACTION REQUESTED: Extension without change of a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 201201-0648-003
AGENCY ICR TRACKING NUMBER:
TITLE: Northwest Region Vessel Identification Requirements
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0355

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 04/30/2015

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	1,693	1,270	59,255
New	1,663	1,247	66,520
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	-30	-23	7,265
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
Northwest Region Vessel Identification Requirements			50 CFR 660 Subpart C

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 b. <input type="checkbox"/> None 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
NORTHWEST REGION VESSEL IDENTIFICATION REQUIREMENTS
OMB CONTROL NO: 0648-0355**

A. JUSTIFICATION

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

This submission requests renewal of Office of Management and Budget (OMB) approval for a vessel identification requirement in the Pacific Coast Groundfish Fishery.

The success of fisheries management programs depends significantly on regulatory compliance. The vessel identification requirement is essential to facilitate enforcement. The ability to link fishing or other activity to the vessel owner or operator is crucial to enforcement of regulations issued under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#) (including provisions at 16 U.S.C. 1853 (or Section 303)).

Vessel identification is required by all open access and limited entry commercial vessels over 25 ft. in length in the Northwest region. Vessel identification requirements are set forth in the regulations implementing the Pacific Coast Groundfish Fisheries Management Plan at [50 CFR 660 Subpart C](#).

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

A vessel's official number must be displayed on the port and starboard sides of the deckhouse or hull, and on a weather deck. It identifies each vessel and should be visible from a distance at sea and in the air. The official number provides law enforcement personnel with a means to monitor fishing, at-sea processing, and other related activities, to ascertain whether the vessel's observed activities are in accordance with those authorized for that vessel. The identifying number is used by the National Marine Fisheries Service (NMFS), the United States Coast Guard (USCG), and other marine agencies in issuing violations, prosecutions, and other enforcement actions. Law enforcement personnel rely on this information to assure compliance with fisheries management regulations. Vessels that qualify for particular fisheries are readily identified and gear violations are more readily prosecuted, allowing for more cost-effective enforcement. Cooperating fishermen also use the number to report suspicious activities. Regulation-compliant fishermen ultimately benefit as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

The information collected will not be disseminated to the public; as it consists solely of marking vessels with the appropriate vessel number. This information is not submitted to NMFS.

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.

The requirement that each vessel display an identification number on its deckhouse or hull, and its weather deck, does not lend itself to technology. Vessel monitoring system (VMS) units are currently required on all groundfish vessels consistent with regulations at [50 CRF 660.14](#). Although VMS signals which are transmitted hourly can be used to identify a vessels fishing location, it is difficult for enforcement personnel aboard vessels and aircraft to use to identify specific vessels. Therefore a vessel identification number requirement continues to be useful for basic enforcement.

4. Describe efforts to identify duplication.

Existing Federal and State reporting requirements have been reviewed to ascertain that no duplication of information collection results from this action. There is no duplication with other collections. The USCG requires the name of the vessel and hailing port be marked on its stern for documented vessels ([46 CFR 67](#)) and state-issued block numbers on the forward half of the vessel for undocumented vessels (i.e., small boats that are registered with the state) ([33 CFR 173](#)); however vessel names, ports, and block numbers may be changed, making tracking and identification of the vessel more difficult and complex. The USCG also requires documented vessels to have their official identification number permanently marked on the vessel. However, this is usually done on an interior structural beam in the engine room. For efficient enforcement and accurate reporting, an identifying number is required on the outside of the vessel in large numbers by the NMFS, because a vessel's identification number does not change.

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

Although nearly all vessels in the respective fisheries are categorized as small businesses, the collection of information will not have a significant economic impact or burden on small businesses in terms of time and resources. Therefore, no special modifications of the requirements were considered necessary.

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

The NMFS and the USCG could not enforce the fisheries management measures if this collection were conducted less frequently. The numbers must periodically be maintained to remain legible.

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

This collection is consistent with the guidelines.

8. Provide information on 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 August 22, 2011 (76 FR 52317) solicited public comment. No comments were received.

Consultation outside the agency is assured by the Pacific Coast Groundfish regulatory process, set forth in the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations (Pacific Coast Groundfish Fishery Management Plan and 50 CFR 660). There are no issues that have not already been resolved.

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

No payments or gifts are provided.

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

No confidentiality is promised; the information is on public display.

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

There are no sensitive questions.

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

The estimated total number of vessels affected is 1,663 vessels (413 limited entry vessels and 1,250 open access vessels). This number is an overestimate because it includes vessels under 25 feet, limited entry permits not registered to a vessel, and limited entry permits that may be stacked on the same vessel. The identifying number must be displayed on the vessel in three locations and maintained in good condition. Given the adverse weather conditions and salt water, we expect each number will need to be repainted or repaired annually. The estimated time to display or otherwise affix the number at each location is 15 minutes. Estimated total annual response and hours: 1,663 vessels x 3 locations x 15 minutes = 1,663 responses @ 45 minutes and 1,247 hours.

Labor costs in the fishing industry are estimated at \$15 per hour (www.workforceexplorer.com), producing an annualized cost to respondents of the time burden of \$18,709.

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

The cost to fishermen is minimal. Materials needed are paint and paintbrush, and possibly a stencil. At an estimated cost of \$40 per vessel, the annual total cost burden is \$66,520 (1,663 vessels x \$40).

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

None.

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

Adjustment: Based on current permit numbers and estimates of participation, there is a net of 30 fewer respondents and responses (7 additional limited entry vessels and 37 fewer open access vessels) and 23 fewer hours. There is a net increase of \$7,625 in costs; although fewer vessels need numbers, the cost of materials per vessel has increased from \$35 to \$40.

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

No results are 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.

Not applicable.

18. Explain each exception to the certification statement.

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

Table 1.						
	Limited Entry				Open Access	Fleet Totals
	Trawl	Mothership	Fixed Gear	Pot		
Total number of vessels	176	6	199	32	1,250	1,663
Number of markings per vessel	3 markings					
Total Number of markings	528	18	97	96	3,750	4,489
Estimated time per vessel to display or affix the number at each location	15 minutes					
Estimated time per vessel to display or affix all required markings	45 minutes					
Total burden hours all vessels	132	4.5	149.25	24	937.5	1,247
Cost per vessel for materials	\$40					
Total annual cost for materials	\$7,040	\$240	\$7,960	\$1,280	\$50,000	\$66,520
Cost per hour for labor	\$15					
Total annual cost for labor	\$1,980	\$67.5	\$2,238.75	\$360	\$14,062.5	\$18,709

§ 660.20 Vessel and gear identification.

(a) Vessel identification

(1) Display. The operator of a vessel that is over 25 ft (7.6 m) in length and is engaged in commercial fishing for groundfish must display the vessel's official number on the port and starboard sides of the deckhouse or hull, and on a weather deck so as to be visible from above. The number must contrast with the background and be in block Arabic numerals at least 18 inches (45.7 cm) high for vessels over 65 ft (19.8 m) long and at least 10 inches (25.4 cm) high for vessels between 25 and 65 ft (7.6 and 19.8 m) in length. The length of a vessel for purposes of this section is the length set forth in USCG records or in state records, if no USCG record exists.

(2) Maintenance of numbers. The operator of a vessel engaged in commercial fishing for groundfish must keep the identifying markings required by paragraph (a)(1) of this section clearly legible and in good repair, and must ensure that no part of the vessel, its rigging, or its fishing gear obstructs the view of the official number from an enforcement vessel or aircraft.

(3) Commercial passenger vessels. This section does not apply to vessels carrying fishing parties on a per-capita basis or by charter.

(b) Gear identification. Gear identification requirements specific to fisheries using fixed gear (limited entry and open access) are described at §660.219, subpart E and §660.319, subpart F.

Comment 3: Whether Yantai Jinyan's Sale to Its Unaffiliated Customer Should Be Reviewed Because the POR Was Expanded

Comment 4: Whether the Department Has the Discretion To Continue Yantai Jinyan's NSR or Initiate Another NSR

Comment 5: Yantai Jinyan's Cash Deposit and Assessment Rate

Comment 6: Whether the Department's Authority To Rescind Shenzhen Bainong's New Shipper Review Is Limited to a Sale That Is Unrepresentative and Extremely Distortive

Comment 7: Whether the Pricing of Shenzhen Bainong's Sale Is Commercially Reasonable

Comment 8: Whether the Quantity of Shenzhen Bainong's Sale Is Commercially Reasonable

Comment 9: Whether the Department's Concerns Regarding Shenzhen Bainong's Importer as Legitimate Ongoing Business Concern Are Justified

Comment 10: Whether Shenzhen Bainong's Importer Behaved in a Commercially Reasonable Manner

[FR Doc. 2011-21377 Filed 8-19-11; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Northwest Region Vessel Identification Requirements

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 October 21, 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).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Becky Renko, (206) 526-6110 or becky.renko@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The success of fisheries management programs depends significantly on regulatory compliance. The vessel identification requirement is essential to facilitate enforcement. The ability to link fishing or other activity to the vessel owner or operator is crucial to enforcement of regulations issued under the authority of the Magnuson-Stevens Fishery Conservation and Management Act. A vessel's official number is required to be displayed on the port and starboard sides of the deckhouse or hull, and on a weather deck. It identifies each vessel and should be visible at distances at sea and in the air. Vessels that qualify for particular fisheries are readily identified, gear violations are more readily prosecuted, and this allows for more cost-effective enforcement. Cooperating fishermen also use the number to report suspicious activities that they observe. Regulation-compliant fishermen ultimately benefit as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

II. Method of Collection

Fishing vessel owners physically mark vessel with identification numbers in three locations per vessel.

III. Data

OMB Control Number: 0648-0355.

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: 1,693.

Estimated Time per Response: 45 minutes (15 minutes per marking).

Estimated Total Annual Burden Hours: 1,247.

Estimated Total Annual Cost to Public: \$66,520 in recordkeeping/reporting costs.

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: August 16, 2011.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2011-21309 Filed 8-19-11; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XA641

Marine Mammals; File No. 16553

Correction

In notice document 2011-21001 appearing on page 51002 in the issue of August 17, 2011, make the following correction:

On page 51002, in the second column, under the **DATES** heading, in the third line, "August 17, 2011" should read "September 16, 2011".

[FR Doc. C1-2011-21001 Filed 8-19-11; 8:45 am]

BILLING CODE 1505-01-D

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XA647

Endangered and Threatened Species; Recovery Plans

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of Availability.

SUMMARY: The National Marine Fisheries Service (NMFS) announces the adoption of an Endangered Species Act (ESA) recovery plan for the Upper Willamette Chinook salmon (*Oncorhynchus tshawytscha*) Evolutionarily Significant Unit (ESU) and the Upper Willamette River steelhead (*Oncorhynchus mykiss*) Distinct Population Segment (DPS), which spawn and rear in tributaries to the Willamette River in western Oregon. The Final Upper Willamette River Conservation and Recovery Plan for Chinook Salmon and Steelhead (Final Recovery Plan) and our summary of and