NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 01/22/2015

Department of Commerce
National Oceanic and Atmospheric Administration

FOR CERTIFYING OFFICIAL: Jerry Harper
FOR CLEARANCE OFFICER: Jennifer Jessup

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 10/22/2014

ACTION REQUESTED: Extension without change of a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 201410-0648-007
AGENCY ICR TRACKING NUMBER:
TITLE: Virginia Modified Pound Net Leader Inspection Program
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0559
The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 01/31/2018 DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	145	70	103
New	145	70	103
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	0	0	0
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: Dominic J. Mancini
Acting Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs			
IC Title	Form No.	Form Name	CFR Citation
Arrangement for inspection meeting			50 CFR 223.206
Inspection meeting			50 CFR 223.206
Report of lost or destroyed tag			50 CFR 223.206

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
DOC/NOAA/NMFS

2. OMB control number b. [ ] None
a. 0648 - 0559

3. Type of information collection (*check one*)
a. [ ] New Collection
b. [ ] Revision of a currently approved collection
c. [✔] Extension of a currently approved collection
d. [ ] Reinstatement, without change, of a previously approved collection for which approval has expired
e. [ ] Reinstatement, with change, of a previously approved collection for which approval has expired
f. [ ] Existing collection in use without an OMB control number
For b-f, note Item A2 of Supporting Statement instructions

4. Type of review requested (*check one*)
a. [✔] Regular submission
b. [ ] Emergency - Approval requested by ____/____/____
c. [ ] Delegated

5. Small entities
Will this information collection have a significant economic impact on a substantial number of small entities? [ ] Yes [✔] No

6. Requested expiration date
a. [✔] Three years from approval date b. [ ] Other Specify:____/____

7. Title Virginia Modified Pound Net Leader Inspection Program

8. Agency form number(s) (*if applicable*)

9. Keywords "Fishing", "Fishing Vessels"

10. Abstract

This action involves continuing an inspection program for modified pound net leaders in the Virginia waters of the mainstem Chesapeake Bay. Pound net fishermen must call the National Marine Fisheries Service (NMFS) to arrange for a meeting. Then, fishermen must meet NMFS and allow for the inspection of his or her gear to ensure the modified leader meets the definition of a modified pound net leader, as described in the regulations. This inspection program is necessary to provide fishermen with the assurance that their leaders meet the regulatory definition of a modified pound net leader before setting their gear, provide managers with the knowledge that the offshore leaders in a portion of the Virginia Chesapeake Bay are configured in a turtle-safe manner, and aid in enforcement efforts. The respondents will be Virginia pound net fishermen. This collection of information will end when Final Rule 0648-BB37 becomes effective and will be replaced by training (consult the April 17, 2014 proposed rule (79 FR 21695) for details on the inspection program cessation).

11. Affected public (*Mark primary with "P" and all others that apply with "x"*)
a. P 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 (*check one*)
a. [ ] Voluntary
b. [ ] Required to obtain or retain benefits
c. [✔] Mandatory

13. Annual recordkeeping and reporting burden
a. Number of respondents 19
b. Total annual responses 145
1. Percentage of these responses collected electronically 0 %
c. Total annual hours requested 70
d. Current OMB inventory 70
e. Difference 0
f. Explanation of difference
1. Program change
2. Adjustment

14. Annual reporting and recordkeeping cost burden (*in thousands of dollars*)
a. Total annualized capital/startup costs 0
b. Total annual costs (O&M) 0
c. Total annualized cost requested 0
d. Current OMB inventory 0
e. Difference 0
f. Explanation of difference
1. Program change
2. Adjustment

15. Purpose of information collection (*Mark primary with "P" and all others that apply with "X"*)
a. ___ Application for benefits e. ___ Program planning or management
b. X Program evaluation f. ___ Research
c. ___ General purpose statistics g. P Regulatory or compliance
d. ___ Audit

16. Frequency of recordkeeping or reporting (*check all that apply*)
a. [ ] Recordkeeping b. [ ] Third party disclosure
c. [✔] Reporting
1. [ ] On occasion 2. [ ] Weekly 3. [ ] Monthly
4. [ ] Quarterly 5. [ ] Semi-annually 6. [✔] Annually
7. [ ] Biennially 8. [ ] Other (describe) ____

17. Statistical methods
Does this information collection employ statistical methods
[ ] Yes [✔] No

18. Agency Contact (person who can best answer questions regarding the content of this submission)
Name: Carrie Upite
Phone: (978) 282-8475

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 signed by Alan Risenhoover	Date 10/15/2014
Signature of NOAA Clearance Officer	
Signature BRABSON.SARAH.1365710488 Digitally signed by BRABSON.SARAH.1365710488 DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=OTHER, cn=BRABSON.SARAH.1365710488 Date: 2015.01.30 14:24:11 -05'00'	Date

SUPPORTING STATEMENT
VIRGINIA MODIFIED POUND NET LEADER INSPECTION PROGRAM
OMB CONTROL NO. 0648-0559

A. JUSTIFICATION

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

This request is for extension of this information collection.

On June 23, 2006, National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS) issued a final rule (71 FR 36024), amending regulations for parts of 50 CFR 222 and 223 under the authority of the Endangered Species Act (16 USC 1531 *et seq*.) requiring that, during the period of May 6 through July 15, any offshore pound net leader -- in the Virginia waters of the mainstem Chesapeake Bay, south of 37 19.0' N. lat. and west of 76 13.0' W. long., and all waters south of 37 13.0' N. lat. to the Chesapeake Bay Bridge Tunnel at the mouth of the Chesapeake Bay, and the James and York Rivers downstream of the first bridge in each tributary (referred to as "Pound Net Regulated Area I") -- meet the definition of a modified pound net leader.

A modified pound net leader is a pound net leader that is affixed to or resting on the sea floor and made of a lower portion of mesh and an upper portion of only vertical lines such that: the mesh size is equal to or less than 8 inches stretched mesh; at any particular point along the leader the height of the mesh from the seafloor to the top of the mesh must be no more than one-third the depth of the water at mean lower low water (average low water point during the lowest of two low tidal cycles) directly above that particular point; the mesh is held in place by vertical lines that extend from the top of the mesh up to a top line, which is a line that forms the uppermost part of the pound net leader; the vertical lines are equal to or greater than 5/16 inch in diameter and strung vertically at a minimum of every 2 feet; and the vertical lines are hard lay lines with a level of stiffness equivalent to the stiffness of a 5/16 inch diameter line composed of polyester wrapped around a blend of polypropylene and polyethylene and containing approximately 42 visible twists of strands per foot of line.

Without this final rule, existing regulations would have continued to prohibit all offshore pound net leaders in that area during that time frame. While restrictions promulgated in 2004 on pound net leaders in the Virginia waters of the Chesapeake Bay outside the aforementioned area remain in effect (referred to as "Pound Net Regulated Area II"; May 5, 2004, 69 FR 24997), this final rule created an exception to those restrictions by allowing the use of modified pound net leaders in this area.

After the 2006 final rule was published, NMFS determined that an onshore inspection program that checked a modified leader *ready for deployment* against the regulatory definition would help ensure the protection of sea turtles, while limiting the difficulties of and potential costs to fishermen associated with post-deployment inspections at sea. For example, most of the pound net leader is typically set under the water, the water clarity in the Chesapeake Bay is generally poor, and there may be debris in the water that could endanger the inspector. In addition, if a

fisherman was asked to haul the leader for an inspection once it was deployed, there would be a loss in fishing time.

The modified leader configuration was developed to protect sea turtles, and it is important that the leaders deployed in this fishery meet the standards embodied in the regulations. NMFS proposes to continue the inspection program that would: (1) provide fishermen with the assurance that their leaders meet the definition of a modified pound net leader before setting their gear, thereby limiting the costs associated with having to: (a) to haul their gear during the fishing season, (b) fix any parts of the leader determined by an authorized officer during an at-sea inspection to be non-compliant with the regulation, and (c) reset the gear; (2) provide managers with the knowledge that the offshore leaders in Pound Net Regulated Area I are configured in a "turtle-safe" manner; and (3) aid in enforcement efforts. The final rule establishing the inspection program was published on November 18, 2008 (73 FR 68348), with information collection component approved on August 26, 2008.

If a pound net fisherman is to use a modified pound net leader anywhere in Pound Net Regulated Area I (where the modified leaders are required) or Pound Net Regulated Area II (where modified leaders are not required) at any time during the period from May 6 through July 15, he or she must adhere to the following requirements of the inspection program.

First, the pound net fisherman, or his/her representative, must call NMFS at (757) 414-0128 at least 72 hours before the modified leaders are to be deployed. During this call, the fisherman or representative and NMFS will discuss a meeting date, time, and location, as well as the fisherman's plans for setting his/her gear. While NMFS realizes that setting pound net gear is dependent upon weather conditions, allotting a window of 72 hours or more enables the fishermen and NMFS to arrange a mutually agreeable meeting time to examine the modified leaders.

The second component of the inspection program involves NMFS meeting the fisherman at the dock, or another mutually agreeable place, to examine the gear for compliance with the definition of a modified pound net leader. During the inspection, NMFS will ascertain whether the leader meets the following four criteria taken from the modified leader definition: (1) the lower portion of the leader is mesh and the upper portion consists of only vertical lines; (2) the mesh size is equal to or less than 8 inches stretched mesh; (3) the vertical lines are equal to or greater than 5/16 inch in diameter and strung vertically at least every 2 feet; and (4) the vertical lines are hard lay lines with a level of stiffness equivalent to the stiffness of a 5/16 inch diameter line composed of polyester wrapped around a blend of polypropylene and polyethylene and containing approximately 42 visible twists of strands per foot of line. NMFS will also measure the height of the mesh in relation to the height of the entire leader.

During the inspection, the fisherman must provide accurate and specific latitude and longitude coordinates of the location at which the leader will be deployed. If the fisherman does not know his or her modified pound net leader latitude and longitude coordinates prior to the inspection, NMFS will have a detailed nautical chart available during the inspection for the fisherman to ascertain the specific coordinates of the gear.

During the inspection, the fisherman must also provide NMFS with information on the low water depth at each end of the modified leader. If the leader meets the four criteria previously described, the measurement of the height of the mesh in relation to the total height of the leader is recorded, and the low water depth and the latitude and longitude coordinates of the specific location at which the leader will be deployed, are provided and recorded, the leader will pass inspection.

If the leader passes inspection, NMFS will tag the leader with one or more tamper-proof tags (supplied by NMFS), each of which will be marked with a unique identification number. Additionally, the fisherman will receive a letter from NMFS noting that the leader has been inspected, the date of the inspection, the license holder's name, the tag number(s) of the attached tag(s), information on the modified leader as collected during the inspection, and the low water depth and latitude and longitude coordinates for the specific location at which the inspected leader will be deployed. This letter must be retained on the vessel tending the inspected leader at all times it is deployed. The fisherman may set the inspected leader only after passing the inspection; the tags must remain on the gear. After tagging by NMFS, the tags may not be tampered with or removed. If a tag is damaged, destroyed, or lost due to any cause, the fisherman must call NMFS at (757) 414-0128 within 48 hours of discovery to report this incident.

If the onshore inspection indicates that the leader does not meet one or more of the four criteria, NMFS will instruct the fisherman how to modify his or her gear in order to meet the criteria. Pound net fishermen are required to have their modified leaders inspected annually, even if the tags from the preceding year remain on the gear.

This collection of information will end when Final Rule 0648-BB37 becomes effective and will be replaced by training (consult the April 17, 2014 proposed rule (79 FR 21695) for details on the inspection program cessation). The final rule may become effective within the next six months, but without a firmer timeline, we are requesting the usual three-year extension. Once the rule becomes effective, we will request discontinuation of OMB Control No. 0648-0559.

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.

The obtained information will be shared with NMFS staff, including law enforcement agents and protected resources staff, to ensure compliance with the previously established regulations and to ensure sea turtles are being adequately protected. It is estimated that the information will be obtained one time per modified leader per season, likely occurring before May 6 of each year.

NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with 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, general results on modified leader use may be

used in scientific, management, technical or general informational publications. Should NOAA NMFS Greater Atlantic Regional Fisheries Office (GARFO) 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.

The collection of information in question involves the public entity setting up a meeting with NMFS via a telephone call. This method of communication consists of the most effective means to collect the information on a meeting date, time and location. While the meeting specifics could be arranged via electronic mail, it is believed that Virginia pound net fishermen will more easily set up the meeting via a telephone call. Furthermore, it is unknown how many Virginia fishermen have computer access. The second part of the information collection involves a meeting between NMFS and the pound net fisherman, which does not involve any automated, electronic, mechanical or other technological techniques.

4. Describe efforts to identify duplication.

NMFS does not believe this information collection represents a duplication of other efforts. While fishermen may know if their modified leaders meet the definition as included in the regulations, no one is specifically collecting this information. The Virginia Marine Resources Commission (VMRC) has promulgated similar inspection regulations, but their regulations are intended to be congruent with, and not duplicative of, the Federal regulations. NMFS and VMRC will work together on the inspection program and to ensure there is no duplication of effort, should the potential exist.

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

This information collection will not have a significant impact on small entities. This collection of information does involve small entities (Virginia pound net fishermen), but the impacts are minimized by the relatively infrequent nature of the reporting (e.g., only one time per leader per year, with a possibility of additional reporting if a tag is lost) and type of reporting (e.g., telephone call and meeting at a mutually agreeable location).

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

If this information is not collected, the evaluation and effectiveness of the June 2006 regulations (71 FR 36024) will be compromised. It will be difficult to determine if fishermen are complying with the regulations regarding modified pound net leaders, and the regulations were developed to reduce sea turtle mortality. Without this collection (or some other alternative plan that has yet to be finalized), the effectiveness of sea turtle protection measures in Virginia cannot be established. The NMFS GARFO and Northeast Fisheries Science Center (NEFSC) have dedicated a significant amount of funding and staff time to evaluate and reduce spring sea turtle

mortality in Virginia, and the previously established regulations are essential to protect sea turtles in the Chesapeake Bay. Conducting the information collection less frequently would be the same as not conducting it at all, and the same concerns apply. Fishermen are only required to contact NMFS before they set their modified leader (likely one time per year), and it is unknown how reporting less than one time a year would assist in sea turtle recovery efforts. Acquiring this information to fulfill the aforementioned objectives is an important aspect of the NMFS Northeast sea turtle program.

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

The information collection will not be conducted in a manner inconsistent with OMB 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 May 19, 2014 (79 FR 28685) solicited public comments. No comments were received.

Two fishermen were contacted on July 14, 2014, and asked about the frequency of collection, clarity of instructions, hour and cost burden, and general information collection. Both said that the current process and burden estimate is reasonable and did not have any complaints or suggestions for improvement. A Virginia state employee was also contacted but did not comment.

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

No payments or gifts will be provided to respondents.

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

No assurance of confidentiality is given. Personal identifiers and any commercial information will be kept confidential to the extent permitted under the Freedom of Information Act (FOIA) (5 U.S.C. 552), the Department of Commerce FOIA regulations (15 CFR Section 4, Subpart A), the Trade Secrets Act (18 U.S.C. 1905), and NOAA Administrative Order 216-100.

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.

This collection of information does not involve any questions of a sensitive nature.

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

The collection of information involves two parts: 1) the fisherman must call NMFS at least 72 hours before deploying his or her modified pound net leader to set up a meeting time, date and location, and 2) the fisherman must meet NMFS at a mutually agreeable location, so that NMFS may inspect the modified leader.

Based upon information obtained from the VMRC on 2009 pound net license holders, there are 52 licensed pound net fishermen in the Virginia Chesapeake Bay. Additional information obtained from VMRC found that the average number of pound net fishermen fishing in Pound net Regulated Areas I and II from May 6-July 15 2005-2009 was 19, with a range of 17 (in 2007) to 22 (in 2005) fishermen. This still represents the best available information on the number of fishermen during the regulated period and area. Of these 19 fishermen and during the time frame of the regulations (May 6 – July 15), an average of 12 fishermen from 2005-2009 reported landings from the upper part of the Bay while an average of 7 fishermen from 2005-2009 reported landings from the lower portion of the Bay. As mentioned, only fishermen in a portion of the lower Bay are required to use modified pound net leaders, if they set a leader, from May 6 to July 15. Fishermen in the upper Bay may use a modified leader if they so choose, but they are not required to do so. While the specific number of fishermen that may be affected by this collection of information is dependent upon whether they switch their leader voluntarily, there is the option for every licensed Virginia pound net fisherman (n=52) to use a modified leader. However, fishermen are required to arrange a meeting with NMFS only if they are planning to set a modified leader during the regulated period (May 6 to July 15). Thus, a total of 19 fishermen (12 in upper and 7 in lower Bay) may be affected by this collection of information.

In 2004 (still the best available data), during the regulated time period, fishermen in the upper Bay fished an average of 1.8 pound nets. This results in 22 pound nets in the upper Bay (12 fishermen * 1.8 pounds/fisherman). Monitoring and characterization efforts were conducted by NMFS from May to July 2010 in the lower Bay only. These observations found 41 nets set in the lower Bay. Based on these data, the information collection will apply to a total of 63 pound net leaders (22+41). The actual burden will most likely be on much fewer leaders (and fishermen) as it is unlikely that every Virginia pound net fisherman will switch to a modified leader in each of his or her nets and then be required to call NMFS to arrange an inspection. Based on actual inspection results from 2010, it is more likely that the information collection requirement will fall upon approximately 17 offshore nets in the lower Bay, and approximately 7 fishermen. However, for the purposes of this analysis, the maximum number of respondents and applicable nets must be considered.

The hourly burden for the first part of the information collection was calculated by assuming a phone call to NMFS to set up an inspection meeting will last for a maximum of 5 minutes. Therefore, if each fisherma**n makes one call per each net, there would be a total of 63 calls**

lasting 5 minutes per call. The maximum hourly burden for this portion of the information collection would be 315 minutes, or 5.25 (5) hours, although it is likely to be less than this amount, because fishermen will likely call NMFS to arrange meeting specifics for more than one of their nets at a time, instead of making one call per one net.
The hourly burden for the second part of the information collection was calculated by assuming the gear compliance meeting between NMFS and the pound net fisherman will last for a maximum of 1 hour per net. For 63 pound net leaders, **the hourly burden for this portion of the information collection would be 63 hours.**

As noted previously, if a tag placed on the leader during inspection is damaged, destroyed or lost by debris, vessel traffic, marine life, or any other cause, the fisherman must call NMFS within 48 hours of discovery to report this incident, resulting in an additional hourly burden on the fisherman. It is unknown how many tags will be damaged, destroyed or lost in the course of one year; thus, NMFS is estimating 10% of tags will be affected. This is likely an overestimate; since the first year of the inspection program (2009), no tags have been reported as lost, destroyed, or damaged. Of 63 pound net leaders, each leader would have 3 tags, for a maximum total of 189 tags placed on all pound net leaders; 10% of these would be 18.9 (19) tags, necessitating 19 notification calls to NMFS. **Assuming each call would last a maximum of 5 minutes, this would result in an additional hourly burden of 1 hour, 30 minutes (2 hours) for all Virginia pound net fishermen.**

For the 19 respondents, total responses would be 145: 63 calls, 63 meetings, and 19 additional notification calls. Total hourly burden would be 70 hours, with approximately 3.7 hours per fisherman.

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 burden was obtained by using the information on anticipated numbers of reports as presented in Question 12 and the following information: an estimated initial 63 calls to set up meetings are anticipated to be conducted annually. The cost of a 5-minute call was estimated to be $1.25 per call ($0.25 per minute). **This cost estimate was determined to be $78.75 for all Virginia pound net fishermen annually.** If a tag placed on the leader during inspection is lost, damaged, or destroyed, **the notification to NMFS would result in an additional 19 calls at $1.25, resulting in an additional $23.75. Therefore, a total annual cost estimate was determined to be $102.50 ($78.75 + $23.75), rounded up to $103.**

NMFS does not foresee any cost burden to fishermen from participating in the inspection meeting or the actual tagging of their gear. NMFS will meet the fishermen at their place of choice, so it is very likely that they will not travel for this meeting. NMFS will also purchase the tags for the modified leaders.

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

The estimated cost to the Federal government will be in terms of staff hours, tag purchases, and mileage and gas to travel to the meeting location. An anticipated 63 calls will take place, and

each call is expected to last a maximum of 5 minutes. NMFS staff will be able to compile any notes during this phone call. As such, the hourly burden on NMFS for this portion of the information collection would be 315 minutes, or 5.25 hours. For the second portion of the information collection, the inspection meeting, each gear check would last approximately 1 hour. For 63 pound net leaders, the hourly burden for this portion of the information collection would be 63 hours. It may take an additional 15 minutes per net to prepare a summary of the inspection meeting, resulting in an additional 15.75 hours of NMFS staff time. If a tag placed on the leader during inspection is lost, damaged, or destroyed, the notification to NMFS would result in an additional 19 calls. Assuming each call would last a maximum of 5 minutes, this would result in an additional hourly burden of 95 minutes (or 1.58 hours) of NMFS staff time. The total hourly burden would be 85.58 (rounded up to 86) hours for NMFS staff (5.25 + 63 + 15.75 + 1.58).

The financial burden would depend upon the pay band level of the party answering the phone call and participating in the inspection meeting. As the staff fielding these calls likely will be pay band level III (with an approximate of $37.54 per hour), approximately **86 hours of work (about 2 weeks) would cost the Federal government approximately $3,228.**

NMFS has purchased the tamper-proof tags to be placed on each modified pound net leader that passes the inspection. The tags that will be used are tamper-proof plastic truck seal tags, as those have been found to be successfully deployed in other fisheries. NMFS estimates that 3 tags will be placed on each modified leader (resulting in a maximum of 189 tags needed annually (63 leaders * 3 tags)). Tags come in multiples of 1000, with 1000 being the minimum order, and each tag is $0.16. The previous cost for 1000 tags was approximately $160. Since 1000 tags were already ordered and only 279 tags have been deployed as of June 18, 2014, there is no need to order more tags for the next three years and no additional expense to the Federal government.

NMFS staff must travel to the meeting location. The meeting location has not yet been determined, and could vary with each fisherman. However, it is 28 miles from the NMFS inspector's home to Cape Charles (where most of the pound net fishermen are located). Assuming an average of $3.60/gallon (in Cape Charles on July 7, 2014), a round trip mileage of 56 miles, and use of 4 gallons of gas per round trip, the cost of gas would be $14.40 for each trip down to Cape Charles. While it is highly unlikely that NMFS would make a separate trip for each pound net leader inspection, the number of trips could vary each year and it would be difficult to predict the exact number of trips to be completed each year. Thus, this analysis considers the maximum number of trips that NMFS may take (n=63). **For 63 inspections and 63 separate round trips, the total amount for gas would be $907.**

The total annualized cost to the Federal government would be $3,228 + $907, or $4,135.

<u>15. Explain the reasons for any program changes or adjustments</u>.

Since the last extension of this information collection, there have not been any changes to the hourly burden or cost to the public. There has been a slight decrease in the cost to the Federal government, due to a lowering of gas prices (total of $945 to $907).

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

The results of this information collection are not anticipated to 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.

Not Applicable.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection request does not employ statistical methods.

from the applicant pool. U.S. companies already doing business in Peru as well as U.S. companies seeking to enter to the Peruvian market for the first time may apply.

Fees and Expenses

After a company or organization has been selected to participate on the mission, a payment to the Department of Commerce of a participation fee is required. The participation fee for the Trade Mission will be *$1,300* for a small or medium-sized firm (SME),[1] and *$2,300* for large firms. The fee for each additional firm representative (large firm or SME/trade organization) is $500. Expenses for travel, lodging, meals, and incidentals will be the responsibility of each mission participant. Delegation members will be able to take advantage of U.S. Embassy rates for hotel rooms.

Exclusions

The mission fee does not include any personal travel expenses such as lodging, most meals, local ground transportation, except as stated in the proposed timetable, or air transportation to and from the United States. Business visas are not required.

Conditions for Participation

An applicant must submit a completed mission application signed by a company officer, together with supplemental application materials, including adequate information on the company's products and/or services, primary market objectives, and goals for participation. **Note:** Each applicant must also certify that the products or services it seeks to export through the mission are either produced in the United States, or, if not, are marketed under the name of a U.S. firm and have at least 51 percent U.S. content of the value of the finished product or service. If the Department of Commerce receives an incomplete application, the Department may reject the application, request additional information, or take the lack of information into account when evaluating the applications.

Selection Criteria for Participation

- Suitability of the company's products or services to the market;
- Applicant's potential for business in Peru and in the region, including likelihood of exports resulting from the mission;
- Consistency of the applicant's goals and objectives with the stated scope of the mission.

Referrals from political organizations and any documents containing references to partisan political activities (including political contributions) will be removed from an applicant's submission and not considered during the selection process. Diversity of company size and location may also be considered during the review process.

Timeline for Recruitment and Applications

Mission recruitment will be conducted in an open and public manner, including publication in the **Federal Register**, posting on the Commerce Department trade mission calendar (*http://export.gov/trademissions*) and other Internet Web sites, including the Renewable Energy & Energy Efficiency Exporters Portal (*www.export.gov/reee*), press releases to general and trade media, direct mail, notices by industry trade associations and other multiplier groups, and publicity at industry meetings, symposia, conferences, and trade shows. Recruitment for the mission will begin immediately and conclude no later than September 15, 2014. Applications received after September 15, 2014 will be considered only if space and scheduling permit.

Contacts	
Ryan Mulholland, *Senior Renewable Energy Trade Specialist, Office of Energy and Environmental Industries,* Phone: (202) 482–4693, Email: *Ryan.Mulholland@trade.gov.*	**Ricardo Pelaáez,** *Commercial Counselor,* U.S. Embassy—Luma, Peru, Phone: +(51) 1–618–2440, Email: *ricardo.pelaez@trade.gov.*

Edward A. O'Malley,

Director, Office of Energy and Environmental Industries.

[FR Doc. 2014–11472 Filed 5–16–14; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Virginia Modified Pound Net Leader Inspection Program

AGENCY: National Oceanic and Atmospheric Administration, 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 July 18, 2014.

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

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Carrie Upite, (978) 282–8475 or *carrie.upite@noaa.gov/*.

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for extension of an inspection program for modified pound net leaders in the Virginia waters of the mainstem Chesapeake Bay. Pound net fishermen must call the National Marine Fisheries Service (NMFS) to arrange for a meeting. At the meeting, they must allow for the inspection of gear to ensure the modified leader meets the definition of a modified pound net leader, as described in the regulations (§ 222.102). This inspection program is necessary to provide fishermen with the insurance that their leaders meet the regulatory definition of a modified pound net leader before setting their gear, provide managers with the knowledge that the offshore leaders in a portion of the Virginia Chesapeake Bay are configured in a sea turtle-safe manner, and aid in enforcement efforts. This collection of information will end

[1] An SME is defined as a firm with 500 or fewer employees or that otherwise qualifies as a small business under SBA regulations (see *http://www.sba.gov/services/contracting opportunities/sizestandardstopics/index.html*). Parent companies, affiliates, and subsidiaries will be considered when determining business size. The dual pricing reflects the Commercial Service's user fee schedule that became effective May 1, 2008 (see *http://www.export.gov/newsletter/march2008/initiatives.html* for additional information).

when Final Rule 0648–BB37 becomes effective and will be replaced by training (consult the April 17, 2014 proposed rule (79 FR 21695) for details on the inspection program cessation).

II. Method of Collection

Reports may be made by telephone and in-person meetings.

III. Data

OMB Control Number: 0648–0559.

Form Number: None.

Type of Review: Regular submission (extension of a current information collection).

Affected Public: Individuals or households.

Estimated Number of Respondents: 19.

Estimated Time per Response: Arrangement of inspection meeting and reporting of lost or stolen tags, 5 minutes each; inspection meeting, 1 hour.

Estimated Total Annual Burden Hours: 70 hours.

Estimated Total Annual Cost to Public: $103 (recordkeeping/reporting).

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: May 14, 2014.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2014–11448 Filed 5–16–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC866

Determination of Overfishing or an Overfished Condition

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

ACTION: Notice.

SUMMARY: This action serves as a notice that NMFS, on behalf of the Secretary of Commerce (Secretary), has found that the following stocks are subject to overfishing or are in an overfished condition: Thorny skate is subject to overfishing and continues to be in an overfished condition; winter skate is subject to overfishing but is not in an overfished condition; Gulf of Mexico red snapper continues to be in an overfished condition; the Gulf of Mexico jacks complex is subject to overfishing; Gulf of Mexico hogfish is subject to overfishing; and South Atlantic blueline tilefish is subject to overfishing and in is an overfished condition. In addition, the Western and Central North Pacific (WCNP) stock of striped marlin, which is jointly managed by the Western Pacific Fisheries Management Council and the Pacific Fisheries Management Council, continues to be subject to overfishing and is now in an overfished condition.

NMFS, on behalf of the Secretary, notifies the appropriate fishery management council (Council) whenever it determines that overfishing is occurring, a stock is in an overfished condition, a stock is approaching an overfished condition, or when a rebuilding plan has not resulted in adequate progress toward ending overfishing and rebuilding affected fish stocks.

FOR FURTHER INFORMATION CONTACT: Mark Nelson, (301) 427–8565.

SUPPLEMENTARY INFORMATION: Pursuant to sections 304(e)(2) and (e)(7) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1854(e)(2) and (e)(7), and implementing regulations at 50 CFR 600.310(e)(2), NMFS, on behalf of the Secretary, must notify Councils whenever it determines that a stock or stock complex is overfished or approaching an overfished condition; or if an existing rebuilding plan has not ended overfishing or resulted in adequate rebuilding progress. NMFS also notifies Councils when it determines a stock or stock complex is subject to overfishing. Section 304(e)(2) further requires NMFS to publish these notices in the **Federal Register**.

NMFS has determined that thorny skate and winter skate, which are managed by the New England Fisheries Management Council (NEFMC), are subject to overfishing and thorny skate continues to be in an overfished condition based on a survey biomass index. NMFS has informed the NEFMC that they must address overfishing on these two stocks and continue to rebuild the thorny skate stock.

NMFS has informed the Gulf of Mexico Fishery Management Council (GMFMC) that the latest benchmark assessment for Gulf of Mexico (GOM) red snapper confirmed that the stock continues to be in an overfished condition and is not subject to overfishing. GOM red snapper has been in a rebuilding plan since 2001. NMFS has determined that adequate progress is being made to rebuild the stock to the target rebuilding level by 2032, the end of the rebuilding plan.

NMFS has also notified the GMFMC that an overfishing determination has been made for the GOM jacks complex and for GOM hogfish based on the catch to overfishing limit ratio. The GMFMC has implemented accountability measures for each of these stocks for the 2014 fishing year.

NMFS has determined that, based on the latest stock assessment, the South Atlantic blueline tilefish stock is subject to overfishing and is in an overfished condition. The prior status for overfishing and overfished was unknown. NMFS has notified the South Atlantic Fishery Management Council that they must address overfishing and rebuild the stock.

NMFS has determined that the Western and Central North Pacific (WCNP) stock of striped marlin is subject to overfishing and is in an overfished condition. This determination was based on an assessment conducted by the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC), in conjunction with the Pacific Island Fisheries Science Center. NMFS has confirmed that section 304(i) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) applies because (1) the overfishing and overfished condition of WCNP striped marlin is due largely to excessive international fishing pressure, and (2) the regional fishery management organizations have inadequate measures