

# NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 10/10/2012

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 08/10/2012

ACTION REQUESTED: Revision of a currently approved collection  
TYPE OF REVIEW REQUESTED: Regular  
ICR REFERENCE NUMBER: 201207-0648-007  
AGENCY ICR TRACKING NUMBER:  
TITLE: Tilefish Individual Fishing Quota Program  
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change  
OMB CONTROL NUMBER: 0648-0590

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: 10/31/2013

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	611	77	82
New	552	49	55
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	-11	-22	-22
Change due to Agency Adjustment	-48	-6	-5
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE: This ICR has been approved for one year, during which time NMFS will solicit external input from stakeholders affected by the collection in order to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format, and on the data elements to be recorded, disclosed, or reported.

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
IFQ Allocation Permit	NA	Application for Federal Tilefish IFQ Allocation Permit	
IFQ Allocation Acquisition (Ownership Cap)	NA	Tilefish IFQ allocation interest declaration form (ownership cap)	
IFQ Permanent & Temporary Transferability	NA	Tilefish IFQ Transfer Form	
Fees/Cost recovery			50 CFR 648.291
IFQ additional reporting			50 CFR 648.291

# 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  
TILEFISH INDIVIDUAL FISHING QUOTA PROGRAM  
OMB CONTROL NO. 0648-0590**

**A. JUSTIFICATION**

This request is for revision and renewal of this information collection. In addition, the name of this collection is being changed from “TILEFISH AMENDMENT 1 TO THE FISHERY MANAGEMENT PLAN” to “TILEFISH INDIVIDUAL FISHING QUOTA PROGRAM” Amendment 1 is no longer in the implementation stage and the program is now fully operational.

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

Under the [Magnuson-Stevens Fishery Conservation and Management Act](#) (MSA), the Secretary of Commerce (Secretary) has responsibility for the conservation and management of marine fishery resources off the coast of the United States (U.S.). The majority of this responsibility has been delegated to the Regional Fishery Management Councils and National Marine Fisheries Service (NMFS). The Council develops management plans for fishery resources in the Mid-Atlantic. The Tilefish FMP manages golden tilefish caught and landed within the Tilefish Management Unit.

Because this is the first renewal after implementation of an individual fishing quota (IFQ) program (per Amendment 1, RIN 0648-AS25), there are several reductions in burden since implementation. The reductions are due to these factors: 1) the appeals process can no longer occur (a program change); 2) NMFS now knows exactly how many IFQ Allocation holders there are rather than approximating the maximum amount that could potentially qualify for an IFQ Allocation permit; and 3) the number of IFQ transfers that actually occurred is significantly lower than initially analyzed (these two changes are adjustments).

**IFQ Allocation Permit**

Amendment 1 implemented an individual fishing quota (IFQ) program in the tilefish FMP. This requires the issuance of IFQ Allocation permits to all entities that own IFQ. There were originally 13 tilefish IFQ Allocation permits, but there are now 12. After the initial IFQ permit issuance, permanent IFQ transfers may occur at any point thereafter, which may change the number of IFQ Allocation permits that are issued annually. These permits are necessary to ensure that IFQ allocation owners are provided a statement of their annual catch quota, and are necessary for enforcement purposes to ensure vessels are not exceeding an individual quota allocation.

**IFQ Permanent & Temporary Transferability**

To achieve its objectives, it is essential that an IFQ program allow the free transfer of quota shares. These objectives include reduction in overcapacity, and provision for economic efficiency in the fishery. Amendment 1 allowed for IFQ to be permanently or temporarily transferred to any entity eligible to own a documented vessel. In order to process an IFQ transfer (temporary, or permanent), NMFS requires that an IFQ Allocation permit holder submit an IFQ transfer form. This IFQ transfer

form must include the following information: the type of transfer (either temporary or permanent), the signature of both parties involved, the cost associated with the transfer, the amount of quota to be transferred, and a declaration of the interest held in tilefish IFQ allocation, with IFQ Allocation permit numbers, for the entity receiving the IFQ. The IFQ Transfer Application Form is made available to IFQ Allocation permit holders annually, along with notification of their annual individual quota. In addition, IFQ Allocation permit holders are notified that the form is available online through the Northeast Regional Office web site, at [www.nero.nmfs.gov](http://www.nero.nmfs.gov).

### **IFQ Share Accumulation**

Section 303A(c)(5)(D) of the 2006 reauthorized Magnuson-Stevens Act states that IFQ privilege programs should ensure that limited access privilege holders do not acquire an excessive share of the total limited access privileges in the program by: 1) establishing a maximum share, expressed as a percentage of the total limited access privileges, that a limited access privilege holder is permitted to hold, acquire, or use; 2) establishing any other limitations or measures necessary to prevent an inequitable concentration of limited access privileges; and 3) authorizing limited access privileges to harvest fish to be held, acquired, used by, or issued under the system to persons who substantially participate in the fishery, including in a specific sector of such fishery, as specified by the Council. Amendment 1 instituted a restriction on the acquisition of IFQ allocation to 49 percent. No person, corporation, partnership or other entity eligible to own a U.S. documented vessel (entity), may hold (permanently or temporarily) more than 49 percent of the total tilefish IFQ allocation. This prevents the accumulation of an excessive shareholding in the fishery, while still allowing for additional consolidation in the fishery to reduce overcapacity.

To ensure that an entity does not acquire more than 49 percent of the overall tilefish IFQ total allowable landings (TAL), NMFS must collect IFQ allocation interest data. IFQ Allocation permit holders must disclose their interest in IFQ allocations annually, prior to receiving their annual permit. To facilitate the collection of this information, NMFS requires that an IFQ Allocation Interest Declaration form be submitted prior to issuing IFQ Allocation permits. This form includes the signature of the owner, the complete address and phone number of the owner, an attestation that the owner is a U.S. Citizen, and the individual transferrable quota (ITQ) Allocation permit numbers that he/she has interest in. The ITQ allocations of which an individual declares an interest in must be identified by both full name (individual or corporation) and by NMFS IFQ Allocation permit number. An IFQ Allocation permit holder may not transfer IFQ (permanently or temporarily) if it will result in an entity holding more than 49 percent of the total tilefish IFQ TAL.

### **Fees and Cost Recovery**

NMFS is required under the MSA to collect fees to recover the costs directly related to management, data collection and analysis, and enforcement of IFQ programs. Under section 304(d)(2)(A) of the Act, the Secretary is authorized to collect a fee to recover these costs. The fee shall not exceed 3 percent of the ex-vessel value of fish harvested. The IFQ fees collected are deposited in the Limited Access System Administrative Fund (LASAF) established in the U.S. Treasury. There is a separate marked account within the LASAF to ensure that the fees collected are only recovered to pay for the incremental costs directly related to management, data collection and analysis, and enforcement costs of the NMFS Northeast Region Tilefish IFQ Program. Amendment 1 requires that the IFQ

permit holder pay a cost recovery fee for every pound of tilefish that he or she lands. As soon as possible after the end of the calendar year, NMFS mails a bill for the IFQ fee from the previous calendar year to each IFQ permit holder. Bills may also be made available electronically via the internet. Payment of the IFQ fee must be made within 45 days of the date on the NMFS bill.

Payments of the IFQ fee must be made electronically via the Federal web portal, [www.pay.gov](http://www.pay.gov), or other internet sites as designated by the Regional Administrator. The reason for the electronic fee collection system is to minimize paper transactions, as at the present time the NMFS Northeast Regional Office is not equipped to process paper collections. Instructions for electronic payment are available on both the payment website and the paper bill. Payment options include payment via a plastic card (e.g. Visa, MasterCard, Discover, etc.), or direct ACH (automated clearing house) withdrawal from a designated checking account. Payment by check could be authorized by the RA for any reason including in the case of an emergency (i.e., the geographical area or an individual(s) is affected by catastrophic conditions).

### **IFQ Reporting Requirements**

A trip identifier (VTR Serial Number) is used to match all reported landings reported via interactive voice response (IVR) to their corresponding dealer reports. This allows for all IVR data to more accurately match dealer (weighout) data on a trip-by-trip basis. In addition, the dealer number also needs to be recorded into the IVR to have vessels report pounds by dealer on the IVR. This ensures that amounts of tilefish landed and ex-vessel prices are properly recorded for quota monitoring purposes and the calculation of IFQ fees, respectively.

### **Recreational Permits and Reporting Requirements**

The tilefish FMP does not contain management measures that require the recreational fishery to report landings. The FMP regulations allow for tilefish to be harvested by the recreational sector with no restrictions. When the FMP was first developed, the recreational participation in this fishery was thought to be minimal. However, recent anecdotal evidence suggests that there has been an increase in recreational tilefish landings. Currently, the recreational component of the fishery is not captured through Federal reporting requirements. The issuance of a permit is an essential ingredient in the management of fishery resources. The purposes and uses of the Charter/Party (CP) permits are: 1) registration of fishermen and fishing vessels; 2) listing of the characteristics of fishing vessels; 3) provision of a mailing list for the dissemination of important information to the industry; and 4) provision of a means for the collection of reporting of recreational landings data.

The Council adopted management measures, in Amendment 1, that established a CP Permit in the fishery. Any owner of a party or charter vessel carrying recreational fishermen for hire to fish for tilefish within the U.S. EEZ (exclusive economic zone) need to obtain a CP vessel permit from NMFS. This requires CP vessels to report tilefish landings using vessel trip reports. The collection of this information provides valuable information to determine the number of vessels and level of activity in the recreational fishery. An applicant must apply for a Federal vessel permit in writing to the Regional Administrator. The application must be signed by the applicant and submitted to the Regional Administrator at least 30 days before the date upon which the applicant desires to have the

permit made effective. Applications must contain the name, principal place of business, mailing address and telephone number of the applicant.

Although specifically a part of this program; in actuality, the burden and cost for the permit applications is covered under the CP permit burden in OMB Control No. O648-0202, Southeast Region Permit Family of Forms, and the reporting burden and cost covered under the IFQ reporting in that same collection.

**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 information requested is used by several offices of NMFS and the United States Coast Guard (USCG) for the monitoring, implementation, and enforcement of the provisions outlined in the Tilefish FMP.

The information gathered is required for the institution of a Limited Access Permit Program (LAPP), as stipulated in the MSA, and for the issuance of a Federal CP permit. This information, as stated above, enables NMFS to manage the IFQ program and to better assess the role of the recreational component of the fishery. All of the information described in response to Question 1 will be collected annually, with the exception of the IFQ Allocation Transfer form, which will be collected every time an IFQ allocation transfer occurs, and the landings information collected through Interactive Voice Response (IVR), required within 48 hours of every tilefish landing.

It is anticipated that the information collected would be disseminated to the public or used to support publicly disseminated information. NMFS retains control over the information and safeguards 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. Prior to dissemination, the information is subjected to quality control measures and a 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 cost recovery fees, as required by the MSA for the institution of a LAPP, will be accomplished using [www.pay.gov](http://www.pay.gov), the electronic Federal payment system managed by the Department of the Treasury.

The IVR system is an electronic phone call-in system and does not require any additional submission of documents or other information outside of what is called into the IVR system. The IVR system is an automated system and, hence, it is always available.

The paper forms used to collect the information will also be available for download electronically on the NERO website, [www.nero.noaa.gov](http://www.nero.noaa.gov), are: The CP permit application; the Tilefish ITQ Allocation Transfer Form and the IFQ Allocation Interest Declaration form. Although these forms may be downloaded and completed electronically, they will need to be mailed in with an original signature(s).

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

NMFS is aware of all related fishery management activities, and these requirements do not duplicate any in existence.

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

This collection of information does not have a significant impact on small entities. Only the minimum data to meet the requirements of the above data needs are requested from all participants. Most forms are downloadable from the Web and fillable on a computer. Furthermore, detailed instructions are included with all required applications and forms to help facilitate proper completion. Since most of the respondents are small businesses, separate requirements based on the size of the business have not been developed.

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

Amendment 1 to the Tilefish FMP instituted a LAPP in the fishery. The information collected as described in Question 1 is required for a LAPP, as stipulated in the MSA, with the exception of the CP permit for recreational tilefish vessels. The CP permit, instituted in Amendment 1, is needed to capture the reporting of recreational landings data that is not currently captured by NMFS. This data is needed to ensure that the recreational fishery is properly factored into tilefish stock assessments.

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

IFQ allocation owners may transfer quota more frequently than quarterly, but transferring quota is a voluntary action, and is to the benefit of the fishing industry. The additional IVR system collection will be required within 48 hours of every landing and is authorized under the Act (Section 303A(c)(1)(H)) for the management of a LAPP.

**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 March 20, 2012 (77 FR 16209) solicited public comments. No comments were received.

Comments and suggestions from industry constituents are routinely submitted, reviewed, and considered. Relationships developed through the various programs, some of which have been operating for many years, provide a continual feedback mechanism to NMFS on issues and concerns to the applicants.

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

Neither payments nor gifts are given to the respondents.

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

All data is handled in accordance with [NOAA Administrative Order 216-100](#), Confidentiality of Fisheries Statistics, and is not released for public use except in aggregate statistical form (and without identifying the source of data, i.e., vessel name, owner, etc.). In addition, any information submitted according to the provisions outlined in Amendment 1, or any other management action implemented by NMFS, is considered confidential and is not disclosed except as provided in Section 402(b) of the Magnuson-Stevens Act.

**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 questions of a sensitive nature.

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

A full summary of the public burden associated with this collection of information can be found in Table 1. Note that the burden for CP application and all but the 2 specified questions on the IVR is covered under OMB Control No. 0648-0202.

**There are currently 12 individual respondents estimated under this submission.** These respondents represent those entities that are currently issued a tilefish IFQ Allocation permit, and/or a Tilefish CP permit. This number includes all entities that are affected by this information

collection, although different provisions affect different numbers of entities. Due to duplication of participants affected by the various provisions, affected entities were counted only once. The revised burdens included in this information collection request are described in further detail below and summarized in Table 1 at the end of the text. **There are 552 responses and 49 hours estimated.**

### **IFQ Allocation Permit**

There are currently 12 IFQ Allocation permits. Each allocation application will take approximately 30 minutes to complete. Consequently, the total time burden for the initial applications will be 6 hours (12 x 30 minutes / 60 minutes = 6). IFQ Allocation permit renewal is estimated to take 15 minutes per application on average, for a total burden of 3 hours per year (12 x 15 minutes/60 minutes = 3). The 3-year average total public time burden for IFQ permit applications and renewals would thus be **4 hours** ( $(6 + 3 + 3)/3 = 4$ ). Originally 19 permit applications were expected. Due to a reduction in the number of permits from the initial qualification, there is a reduction in 7 responses and **3 hours**.

Since the IFQ application process is no longer in the implementation stage, appeals will no longer be submitted. This results in an annual reduction in burden from the initial package of approximately 11 responses and 22 hours.

### **IFQ Allocation Acquisition – IFQ Ownership Cap Forms**

To administer the 49 percent limit on IFQ Allocation holdings, IFQ Allocation permit holders are required to submit IFQ Allocation Interest Declaration (IFQ Ownership Cap) form prior to each IFQ permit year. Since there are 12 IFQ Allocation permits, there would be 12 forms submitted each year. It is estimated it would take 5 minutes to complete each ownership form; therefore, the annual reporting burden would be **1 hour** (12 x 5 minutes/60 minutes) – three responses added, as average based on 3 years (in original submission, as it was a new program, responses were averaged over two years), burden unchanged from the original submission.

### **IFQ Permanent & Temporary Transferability**

It is estimated that each transfer form takes approximately 5 minutes to complete and an average of 4.5 transfers have been completed since the inception of the IFQ program. There are currently 12 IFQ Allocation holders. If these 12 IFQ allocation owners complete 5 transfers (total of 60), at 5 minutes per form, the annual burden will be approximately **5 hours** (12 x 5 = 60 x 5 minutes/60 minutes) – 5 fewer responses, but same number of hours, rounded to nearest hour.

### **Fees and Cost Recovery**

We are still conducting an analysis on the current burden associated with submitting a cost recovery payment. Using the burden per response used by the Alaska Region's Alaska Individual Fishing Quota Cost Recovery Program Requirements (OMB Control No. 0648-0398) as a proxy for the tilefish IFQ program, it is estimated that it would take 2 hours per response. Each IFQ permit holder would be required to submit a cost recovery payment once annually. Therefore, 12 payments would

take **24 hours**. In the original submission, 13 payments were estimated, taking 26 hours; 1 response and 2 hours of burden are removed.

### **IFQ Reporting Requirements**

To more accurately account for landings, this collection requires two additional responses to what is currently being accounted for in the IVR portion of the current submission of OMB Control No. 0648-0202: input of their pre-printed VTR serial number and input of their dealer number. Using the burden per response used by the current Northeast Family of Forms (OMB Control No. 0648-0202) as a proxy for the tilefish IFQ program, it is estimated that it would take 2 minutes for each IVR response. Each IFQ permit holder is required to input both the pre-printed VTR serial number and dealer number to the IVR system within 48 hours of each landing. On average a tilefish vessel will land 19 times in a given fishing year. Therefore, if there are 12 allocations, it is likely that 12 vessels will land tilefish, and report to the IVR system 19 times a year. Each call to the IVR system includes responses to two additional responses to what is currently accounted for in the IVR portion of the current submission of OMB Control No. 0648-0202, each requiring 2 minutes of response time. This additional burden would be approximately **15 hours and 12 minutes (15 hours)** ( $12 \times 19 \times 2 = 456$  responses  $\times$  2 minutes = 912 minutes/60 minutes). The reduction in responses and burden from the original submission is 38 and 1 hour.

### **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).**

A full summary of the cost to the public associated with this collection of information can be found in Table 1. **Total costs are estimated at \$24.**

### **IFQ Allocation Permit**

It is estimated that it would cost \$0.45 in postage fees to submit an initial permit application or a renewal. Therefore, it would cost on average over a three year period an estimated **\$1.80** per year in postage fees ( $12$  applications  $\times$   $\$0.45 = \$5.4 / 3$  years =  $\$1.80$ ).

Since the IFQ application process is no longer in the implementation stage, appeals will no longer be submitted. This results in a reduction in burden from the initial package of approximately **\$22**.

### **IFQ Share Accumulation (Ownership Cap Form)**

It is estimated that it would cost \$0.45 in mailing fees and \$0.10 in copy fees to submit an ownership cap form. Since there are 12 IFQ Allocation permits, 12 IFQ Allocation Interest Declaration forms are submitted annually, the additional expense resulting from this requirement would be **\$6.60** ( $12 \times \$0.55$ ).

### **IFQ Permanent & Temporary Transferability**

It is estimated that IFQ transfer submission would cost \$0.45 postage and \$0.10 copy fees per transfer application (\$0.55 total). Since there has been an average of 4.5 (5) transfers per year per

permitholder, the resultant cost burden for 12 permitholders to submit a total of 60 requests would be **60 x \$0.55 or \$33**. Due to a reduction in the number of transfers than was previously anticipated (65 transfers per year were expected), but an increase in postage, this results in a net burden reduction of **\$1** per year.

### **Fees and Cost Recovery**

It is estimated that it would cost \$0.45 in mailing fees and \$0.10 per page in copy fees to copy and mail a cost recovery annual bill. Since there are 12 permanent IFQ Allocation permit holders that each receive a six-page bill and report, annually, the expense resulting from this requirement would be **\$12.60** (12 x \$1.05 = \$12.60).

### **IFQ Reporting Requirements**

As these reports are made through the IVR system, there is no cost incurred.

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

A full summary of the cost to the public associated with this collection of information can be found in Table 2.

### **IFQ Permit Allocation**

The estimated average cost to the Federal Government to issue a Federal fishery permit (including the time to process all applications) is \$33 per permit (1 hour and 20 minutes, at an hourly rate of \$25), including labor, printing, distribution, computer time, and handling. Since there are 12 IFQ Allocation permits, there would be 12 renewals per year. Therefore it would cost an estimated \$396 per year (12 x 33= \$396) to process all Tilefish IFQ Permits.

Since the IFQ application process is no longer in the implementation stage, appeals will no longer be submitted. This results in a reduction in burden from the initial package of approximately \$266.67.

### **IFQ Share Accumulation**

It is estimates that it would take 10 minutes to process each IFQ Allocation Ownership Interest Declaration form. Since there would be 12 forms per year, at an hourly rate of \$25, the annual government burden would be **\$50** (12 x 10 minutes/60 minutes x \$25).

### **IFQ Permanent & Temporary Transferability**

It is estimated that it would take 30 minutes to process each transfer request. Since it is estimated that NMFS is processing approximately 4.5 transfers per year, the annual government cost would be **\$56.25** (4.5 x 30 minutes/60 minutes x \$25). Since the number of transfers occurring is significantly lower than what was originally anticipated the resulting reduction in burden is **\$756.25**.

## **Fees and Cost Recovery**

Cost recovery payments would be collected through [www.pay.gov](http://www.pay.gov), an established government payment collection program. Since the program has been programmed to accept payment from [www.pay.gov](http://www.pay.gov), there are no additional costs to the government since the tilefish cost recovery program is completely automated. This is a reduction in burden of **\$8.34** a year.

## **IFQ Reporting Requirements**

This submission will not incur additional annualized costs beyond what is already accounted for in the IVR portion of the current submission of OMB Control No. 0648-0202.

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

**Program change: Appeals are no longer possible, removing 11 responses, 22 hours and \$22.**

**Adjustments:** Current estimates are revised based on activity over the past 3 years:

IFQ Allocation permits: reduction of 7 responses and 3 hours.

IFQ Share Accumulation (IFQ Ownership Cap): addition of 3 responses, no change in hours.

IFQ Transfers: reduction of 5 responses and no change in hours.

Fee and Cost Recovery: reduction of 1 response and 2 hours.

Additional IFQ responses via IVR: reduction of 38 responses and 1 hour.

**Total net reduction of responses and burden due to adjustments: 48 responses and 6 hours.**

**There is a net reduction in costs of \$5, based on the reduction in responses.**

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

Results from this collection may be used in scientific, management, technical or general informational publications such as [Fisheries of the United States](#) which follows prescribed statistical tabulations and summary table formats. Data are available to the general public on request in summary form only; data are available to NMFS employees in detailed form on a need-to-know basis only.

### **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.**

Not Applicable.

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

No statistical methods are employed in the information collection procedures.

**TABLE 1**

Reporting Requirement	# Items	Responses per item	Total responses	Burden hours	Recordkeeping/reporting costs
Permit Application (IFQ) (3 –year average)	12	1	12	4	\$1.80 (\$2)
IFQ Ownership Cap Forms	12	1	12	1	\$6.60 (\$7)
IFQ Allocation Transfer Applications (temporary and permanent)	12	5	60	5	\$33
Cost Recovery	12	1	12	24	\$12.60 (\$13)
CP Permit Application*	10	1			
IFQ Additional Reporting**	12	38	456	15	0
<b>TOTAL</b>	<b>-</b>	<b>-</b>	<b>552</b>	<b>49</b>	<b>\$55</b>

\*Burden covered under OMB Control No. 0648-0202

\*\*All burden but these two responses covered under OMB Control No. 0648-0202

**TABLE 2**

<b>GOVERNMENT COST</b>					
Requirement	# Entities	Items per entity	Total items	Cost per item	Total cost
Permit Application (IFQ) (3-year average)	12	1	12	\$33	\$396
Ownership Cap Forms	12	1	12	\$4.17	\$50
IFQ Allocation Transfer Applications (temporary and permanent)	4.5	1	4.5	\$13	\$56.25
Cost Recovery Programming Cost (3-year average)	12	1	12	-	-
<b>TOTAL</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>\$502.25</b>



### Tilefish IFQ Allocation Interest Declaration Form

All persons and entities who have an interest in the Tilefish IFQ Allocation Permit that is the subject of this application must list all the other Tilefish IFQ Allocation Permits in which they have an interest. Individuals who have an interest in a Tilefish IFQ Allocation Permit are defined as and include, but are not limited to, individuals, persons who are shareholders or officers in a corporation, persons who have formed a partnership (general or limited), immediate family members of those who hold an interest, and any other entities that have an interest in a Tilefish IFQ Allocation Permit. If a corporation, partnership, or LLC is listed in Column A, shareholders/officers must be identified.

#### Section A – Individual Applying for a Tilefish IFQ Allocation Permit

Name, Address, and Phone # of Entity: \_\_\_\_\_

#### Section B – Owners of Tilefish IFQ Allocation in Section A and any other Tilefish IFQ Allocation owned.

Column A – Entire name of the owner(s) of the IFQ Allocation in Section A. Include both corporation names and names of Shareholders/Officers.	Other Tilefish IFQ Allocations owned Provide the name, and Tilefish IFQ Allocation permit application number for the other Tilefish IFQ Allocations in which the owner(s) of the tilefish IFQ Allocation in Column A has an interest.		
Owner(s) Name	Tilefish IFQ Allocation Permit Application #	Tilefish IFQ Allocation Permit Application #	Tilefish IFQ Allocation Permit Application #

I, the undersigned, am the owner or legally authorized agent of the owner of the IFQ Allocation named in Section A above. I affirm, subject to the penalties provided in 18 USC 1001, that all information that I have given in obtaining this permit is true and correct. Name of Applicant (print clearly) \_\_\_\_\_ Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

PAPERWORK REDUCTION ACT STATEMENT: Public reporting burden for this collection of information is estimated to average 5 minutes per declaration, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other suggestions for reducing this burden to the Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930.

All data will be kept confidential. 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. 0648-0590  
Expiration Date: 08/31/2012

U.S. Department of Commerce  
NOAA/National Marine Fisheries Service  
55 Great Republic Drive  
Gloucester, MA 01930-2298  
Tel: (978) 282-8483

**Application for  
Federal Tilefish Individual Fishing  
Quota Allocation Permits  
Fishing Year YYYY  
Month DD, YYYY – Month DD, YYYY**

**IFQ Allocation Permit #: XXXXX**

**Please see attachment for application instructions**

**Section 1 - Owner and Vessel(s) Information**

Owner Name:

Street Address:

City:

State:

Zip Code:

Phone #:

List all Federal Vessel Permit Numbers and Names that you own that are authorized under the IFQ Allocation permit you are applying for. NMFS must be notified in writing if you wish to remove or add additional vessels to fish under this IFQ Allocation permit during the fishing year:

1) Permit Number/Name:

2) Permit Number/Name:

3) Permit Number/Name:

**Section 2 - Fishery Information & IFQ Share Allocation**

**IFQ Allocation:**

**The Tilefish TAL for FY YYYY is:**

**Percentage of Tilefish Overall IFQ TAL:**

**FY YYYY Quota in Pounds (live):**

\* IFQ is SUBJECT TO CHANGE: Quota may be adjusted based on FY YYYY overages, IFQ Allocation transfers, and/or research set asides. Please refer to your IFQ Allocation permit, when issued, for your actual FY YYYY quota.

**Section 3 - Owner's Signature**

\_\_\_\_\_ Issue with Requested  
Changes Above

I, the undersigned, am the owner or legally authorized agent of the owner of the vessel(s) named in Section 1 above. I affirm, subject to the penalties provided in 18 USC 1001, that all information that I have given in obtaining this IFQ Allocation permit is true and correct.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**To avoid delay in processing, please include all information requested.**

Any information submitted by any person to obtain a permit is not confidential, and may be disclosed upon request.

## Instructions - Northeast Federal Fisheries Initial Application for a Tilefish IFQ Allocation Permit

This is your YYYY Permit Application for a **Federal Tilefish IFQ Allocation** permit that is required to be completed, signed, and returned to NMFS. NMFS must receive your completed application by September 15, YYYY, to ensure that an IFQ Allocation permit may be issued to you by November 1, YYYY, to enable continued fishing for tilefish in excess of the incidental trip limit. You are receiving this application because you currently hold permanent Tilefish IFQ allocation.

### **In addition, all applicants must submit:**

1. An IFQ Allocation Interest Declaration Form.
2. If your IFQ allocation is owned by a corporation, partnership, or LLC, you must provide: A) A list, signed and dated, of the names and addresses of all corporate officers and shareholders of the corporation; or B) a current copy of the Partnership Agreement and a list of the names and addresses of all partners.

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*SECTION 1: VESSEL/OWNER INFORMATION:* Enter information **only** for items that have changed or are incorrect, or if you need to submit additional information.

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### *SECTION 3: OWNER'S SIGNATURE AND INSTRUCTIONS*

**Please sign the form. Unsigned or incomplete applications will be returned.** Your signature is an affirmation under penalty of perjury, that all the information provided in obtaining this permit is true [18 USC 1001].

PAPERWORK REDUCTION ACT STATEMENT: Public reporting burden for this collection of information is estimated to average 30 minutes per Individual Fishing Quota application, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other suggestions for reducing this burden to the Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930.

All data will be kept confidential. 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.

# Request to Transfer Tilefish IFQ Allocation



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

This form must be used to request a temporary lease or permanent transfer of Tilefish IFQ between two persons or entities that are permanent U.S. citizens or permanent resident aliens, or corporations eligible to own a U.S. Coast Guard documented vessel, as long as they meet the requirements under the MSA. Those entities who have an ownership interest in a Tilefish IFQ Allocation Permit are defined as and include, but are not limited to, individuals, corporations, partnerships, LLCs, persons who are shareholders in a corporation, persons who have formed a partnership (general or limited), and any other entities that have ownership interest in a Tilefish IFQ Allocation Permit. An eligible entity may not obtain more than 49% of the overall tilefish IFQ. Written approval or disapproval of the request will be provided within 30 days of receipt of this form. See attached regulations and restrictions regarding the Tilefish IFQ Leasing and Transfer Program.

## Section 1

Check which type of transfer you are requesting:

<input type="checkbox"/> Permanent IFQ Allocation Transfer	<input type="checkbox"/> Temporary IFQ Allocation Transfer
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## Section 2

Transferor (Seller)	
Name, Address, Phone #:	IFQ Allocation Permit Number:
Quota to be Transferred in Pounds:	Price Paid for the Transfer: \$

## Section 3

Transferee (Buyer)	
Name, Address, Phone #:	*IFQ Allocation Permit Number:
List of IFQ Allocation Permit numbers in which an interest is held. If more space is needed, please use the bottom of the second page of this form:	<b>* If an IFQ Allocation Permit number has not been issued, Section 4 of this form must be completed. NMFS will issue an IFQ Allocation permit number upon receipt of the completed application.</b>
1.	2.
3.	4.
5.	6.
7.	8.

**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 Transferor 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, One Blackburn 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. 0648-0590 Expiration Date: 08/31/2012

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****Proposed Information Collection; Comment Request; Tilefish Individual Fishing Quota Program**

**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 May 21, 2012.

**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](mailto:Jjessup@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Jason Berthiaume, 978-281-9177, or [Jason.Berthiaume@noaa.gov](mailto:Jason.Berthiaume@noaa.gov).

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

This request is for extension of a current information collection.

National Marine Fisheries Service (NMFS) Northeast Region manages the tilefish fishery of the Exclusive Economic Zone (EEZ) of the Northeastern United States, through the Tilefish 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 part 648 subpart N.

The recordkeeping and reporting requirements at § 648.294 form the basis for this collection of information. NMFS requests information from tilefish individual fishing quota (IFQ) permit holders in order to process applications to ensure that IFQ allocation owners are provided a statement of their annual catch quota, and for enforcement purposes, to ensure vessels are not exceeding an individual quota allocation. In conjunction with the application, NMFS also collects IFQ

share accumulation information to ensure that an IFQ limited access privilege holder does not acquire an excessive share of the total limited access privileges, as required by section 303A(c)(5)(D) of the Magnuson-Stevens Act.

NMFS requests transfer application information to process and track requests from allocation holders to transfer quota allocation (permanent and temporary) to another entity. NMFS also collects information for cost recovery purposes as required under the Magnuson-Stevens Act to collect fees to recover the costs directly related to management, data collection and analysis, and enforcement of IFQ programs. Lastly, NMFS collects landings information to ensure that the amounts of tilefish landed and ex-vessel prices are properly recorded for quota monitoring purposes and the calculation of IFQ fees, respectively. Having this information 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**

The IFQ Allocation permit application, IFQ ownership cap form, and the IFQ transfer form are all paper applications. These applications can be filled out online, but must be printed and signed to complete. The IFQ cost recovery process is entirely online at [www.pay.gov](http://www.pay.gov) and the IFQ reporting requirements are completed through a phone call to NMFS interactive voice response phone line.

**III. Data**

*OMB Control Number:* 0648-0590.

*Form Number:* None.

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

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

*Estimated Number of Respondents:* 79.

*Estimated Time per Response:* IFQ Allocation Permit Application, 30 minutes; IFQ Ownership Cap Form, 5 minutes; IFQ Transfer Form, 5 minutes; IFQ Cost Recovery, 2 hours; IFQ Reporting Requirements, 2 minutes.

*Estimated Total Annual Burden Hours:* 53.

*Estimated Total Annual Cost to Public:* \$23.48.

**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: March 14, 2012.

**Gwellnar Banks,**

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

[FR Doc. 2012-6623 Filed 3-19-12; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****Proposed Information Collection; Comment Request; Permitting, Vessel Identification, and Reporting Requirements for the Pelagic Squid Jig Fishery in the Western Pacific Region**

**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 May 21, 2012.

**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](mailto:Jjessup@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Walter Ikehara, (808) 944-2275 or [Walter.Ikehara@noaa.gov](mailto:Walter.Ikehara@noaa.gov).

**SUPPLEMENTARY INFORMATION:**