

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 01/31/2017

Department of Commerce
National Oceanic and Atmospheric Administration

FOR CERTIFYING OFFICIAL: Steve Cooper
FOR CLEARANCE OFFICER: Jennifer Jessup

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 12/30/2016

ACTION REQUESTED: Revision of a currently approved collection

TYPE OF REVIEW REQUESTED: Regular

ICR REFERENCE NUMBER: 201612-0648-010

AGENCY ICR TRACKING NUMBER:

TITLE: American Lobster - Annual Trap Transfer Program

LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change

OMB CONTROL NUMBER: 0648-0673

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: 01/31/2020

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	340	60	1,397
New	102	17	492
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	-124	-24	-183
Change due to Agency Adjustment	-114	-19	-722
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE:

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

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Trap transfers	NA, NA	Lobster trap transfer request form, Trap transfer form - fillable	

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.

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

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
AMERICAN LOBSTER INDIVIDUAL TRANSFERABLE TRAP (ITT) PROGRAM
OMB CONTROL NO. 0648-0673**

A. JUSTIFICATION

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

The National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) requests the approval by the Office of Management and Budget (OMB) of a revision and extension of the existing collection of information under OMB Control Number 0648-0673 for the Annual American Lobster Trap Transfer Program. Originally, this collection was part of a new rulemaking action and included efforts to obtain information from American lobster permit holders in order to implement a limited access permit program in addition to the Trap Transfer Program. NMFS has now completed the qualification activities associated with this limited access program, and requests a revision to remove it from the collection. Also, the Trap Transfer Program has started since the initial collection of information request, and has now been conducted for two years providing more accurate data from which to adjust the original burden estimates.

The American lobster resource and fishery are cooperatively managed by the states and NMFS under the authority of the Atlantic Coastal Fisheries Cooperative Management Act, according to the framework established by the Atlantic States Marine Fisheries Commission (ASMFC) in Amendment 3 of its Interstate Fishery Management Plan (ISFMP (developed under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#) (MSA)). This collection of information is in response to several addenda to Amendment 3 of the ISFMP that work to reduce trap fishing effort through limited entry fishing and trap allocation limit reductions. The Trap Transfer Program is intended to foster economic flexibility for the lobster industry while reducing fishing effort on the American lobster resource.

Currently, Federal lobster permit holders qualified to fish with trap gear in Lobster Conservation Management Areas 2 and 3 are undergoing scheduled annual trap allocation reductions of 5 percent per year until 2021 (Area 2) and 2020 (Area 3) from recommendations in Addendum XVIII to Amendment 3 of the ISFMP. In 2015, in an effort to help mitigate the initial economic burden of these reductions, NMFS and state agencies implemented the Lobster Trap Transfer Program that allows all qualified Federal lobster permit holders to buy and sell trap allocation from Areas 2, 3, or Outer Cape Cod. Through the program, any Federal lobster permit holders (regardless of prior area qualifications) may purchase all or part of an Area 2, Area 3, and/or Outer Cape Area trap allocation from eligible permit holders; and those with qualified permits for any of these three areas may sell and buy traps to scale their businesses to an optimal size. Each transaction includes a conservation tax of 10 percent, which removes the number of traps equal to 10 percent of the total traps in the transfer permanently from the fishery. These traps would be debited from the overall number of fishable traps for the associated lobster trap area, as well as the lobster fishery as a whole, thereby reducing the overall number of fishable traps in the water. This concept is consistent with the ISFMP, which includes the conservation tax as an additional means of controlling effort in the fishery.

This collection of information will allow NMFS to continue to obtain data from Federal lobster permit holders on a voluntary basis every year in the form of an application form to transfer traps through the annual Trap Transfer Program. Applications are only accepted during a 2-month period each year (August 1 - September 30), and the revised allocations for each participating lobster permit resulting from the transfers become effective at the start of the following Federal lobster fishing year, on May 1. Both the seller and buyer of the trap allocation must sign and date the form as an agreement to the number of traps in the transfer; as well as clearly show that the transferring permit holder has sufficient allocation to transfer and the permit holder receiving the traps has sufficient room under any applicable trap cap. This information allows NMFS to process and track transfers of traps through the Trap Transfer Program, and better enables the monitoring and management of the American lobster fishery as a whole.

The Atlantic Coastal Act authorizes NMFS to regulate lobster in Federal waters in cooperation with the ASMFC through implementation of the ISFMP. The ISFMP requires that states implement regulations in support of the lobster management plan and recommends that NMFS implement complementary regulations in Federal waters. The majority of the lobster fishery occurs in state waters and most Federal lobster permit holders also hold a state lobster license. To coordinate the trap transfer effort between NMFS and the states, a joint interjurisdictional trap transfer database was developed for the Trap Transfer Program that is cooperatively managed by both NMFS and state agencies. All trap transfer applications are processed through this joint database and must be approved by both NMFS and the corresponding state, with special attention given to those transactions involving “dual” permit holders with both state and Federal trap allocation. Working cooperatively with the states and sharing a joint trap transfer database prevents disconnect between a state and Federal trap allocations and transfer agreements (especially for dual state and Federal permit holders), and fosters a supportive environment between agencies. This simplifies the overall transfer process, and helps all parties maintain accurate data for their records and management.

The Trap Transfer Program officially began in 2015, and has now been conducted for two years, with over 100 trap transfers processed for lobster permit holders across all three applicable areas. This program is a part of further management measures that seek to promote economic efficiency within the fishery while maintaining existing social and cultural features of the industry where possible. It is important to maintain this program on an annual basis in order to continue to allow permit holders to mitigate the stress caused by scheduled trap reductions and maximize economic flexibility; while also realizing the conservation benefits that result from the transfer tax, and keep the American lobster industry sustainable.

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.

NMFS will collect the trap transfer applications on an annual basis from Federal lobster permit holders interested in buying or selling trap allocation from one or more of the transferable lobster management areas (Areas 2, 3, and Outer Cape Cod). The information will be used to enact the transfer transactions themselves, which includes: checking the permits and trap allocations of the participants, returning/revising incomplete or erroneous applications, auditing the information to ensure the appropriate ending trap allocations are correct in the shared internal and individual

regional trap transfer databases, and notifying the participants of the completed transaction and changes to their respective permits after the transfer is finalized.

Each year, permit holders have the opportunity to transfer all or some of their Area 2, 3, or Outer Cape trap allocation by submitting a trap transfer application form during the designated two-month application period (August-September). NMFS collects all of the applications, but consults with the appropriate state agencies on all applications that involve dual state and Federal trap allocations throughout the transfer process. All data collected through this program is then entered into and processed through a shared, cooperatively managed trap transfer database. Accordingly, NMFS will utilize this data to remain consistent with the ASMFC's recommendations for complementary management. To do otherwise could lead to incongruent trap allocations for dual permit holders, creating added confusion and undermining the effective implementation of the program.

NMFS makes the Area 2, 3, and Outer Cape trap allocation data of each Federal lobster permit holders available online each year before and during the trap transfer application period to facilitate the transfer process, allocation management, and rulemaking process. Specific information on each transaction is never available to the public, but the aggregate allocation and transfer data, including permit-specific allocations, are available for public use.

It is anticipated that the information collected will be used to support publicly disseminated information regarding potential future rulemaking actions relevant to the Trap Transfer Program or other lobster fishery management actions. 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. Prior to dissemination, the information will be 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.

Trap transfer applications are currently accepted electronically by email, in addition to traditional fax, U.S. mail, or other postal method. NMFS provides options to facilitate the timely submission of the required information, and to reduce the time and costs associated with the application process. NMFS utilizes its own databases to track and process applications/trap transfers, as well as a joint trap transfer database collaboratively managed with state agencies to handle applications from dual (state and Federal lobster) permit holders. It is anticipated that permit holders may be able to request trap transfers electronically through an online portal directly connected to this joint database in the future—eliminating postage costs and another step in the process—but this feature is not yet available.

NMFS posted copies of the trap transfer application form (both fillable and printable) and instructions for this information collection on the NMFS American Lobster Species Page (<https://www.greateratlantic.fisheries.noaa.gov/sustainable/species/lobster/>) under the “Trap

Transfer Program” tab, to provide easy access for those who have misplaced their applications and to inform interested parties such as state agencies and industry groups. The “fillable” version of this form also calculates and populates the “number of traps received by buyer” field for the applicant, to help prevent math errors and returned applications.

4. Describe efforts to identify duplication.

NMFS works with the states on cases of applicants who hold dual (state and Federal) permits to ensure duplication does not occur. All trap transfer applications must be approved by both NMFS and the marine fisheries agency of the permit holder’s resident state(s) before the transaction is approved and processed. All transfer data is entered into a joint trap transfer database that can be accessed and managed by both NMFS and state agencies. If duplication occurs it can be identified quickly within the shared system and resolved easily.

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

All the respondents are small businesses; however this collection is voluntary, and is not expected to have a significant financial impact. To reduce burden on all applicants, trap allocations for Areas 2, 3, and Outer Cape (before and after the year’s annual trap reductions) are made available online to permit holders before each trap transfer application submission window. This saves potential applicants the burden of finding their information, or taking extra time to search for potential buyers/sellers to transfer with. All documents and instructions for the Trap Transfer Program are also made available online, together with the posted allocation information on the NMFS American Lobster webpage, to provide easy access for interested parties to relevant materials all in one place. Applicants may submit application forms electronically through email; saving time and postage costs. In the future, with the further improvement and development of the inter-agency trap transfer database, there will likely be an option to conduct transfer requests directly through an online portal as well, saving participants time and money when transferring traps; however this is not yet available on our current system.

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

The Trap Transfer Program is intended to help control fishing effort while increasing economic flexibility in the American lobster trap fishery. NMFS and state agencies will use the collected data, on an annual basis, to help permit holders voluntarily transfer trap allocation to or from his or her permit. Permit holders may submit applications during a two month submission window in the fall, to manage their permits and make business decisions before annual trap reductions take effect for Areas 2 and 3 at the beginning of the following fishing year on May 1. The annual transfer period is optimal, as it provides a means for permit holders to take advantage of the economic benefits associated with trap transferability on an optional basis, while restricting the timing to minimize the administrative burdens on the Federal government and affected permit holders. Failure to implement/offer this program at all would restrict economic flexibility, and remove an option initially provided to help mitigate the impact of scheduled trap allocation reductions in Areas 2 and 3.

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

The data collection as described is consistent 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 October 26, 2016 (81 FR 74407), solicited public comment. No comments were received.

NMFS officially began conducting the Trap Transfer Program in 2015, and works to maintain open industry/public communication as a part of participation in the program. Feedback in the form of comments or questions is welcomed and encouraged throughout the trap transfer process, and several contact numbers are provided on the application form and supporting informational materials.

In addition to formal announcements made each year by NMFS prior to the start of each application submission period, NMFS has also held two public informational workshops in July each year to remind interested parties about the Trap Transfer Program, provide details about any updates or changes to the program, and take any questions or feedback from attendees. Comments from these workshops are used to improve the program moving forward, and streamline to process of transferring traps for everyone involved. This year's workshops were held on July 20, 2016, in Gloucester, MA, and July 21, 2016, in New Bedford, MA. Although the workshops were well attended by state agency, government, and fishing industry members, there was little comment this year on the collection of information itself. This was most likely because the industry and other interested parties were already familiar with the program from the first year (2015) and its previous workshops. Some participants in these workshops did want to confirm the details of the timeframe for submitting applications, and the logistics of filling out the form itself. In addition to answering questions at the workshops, and afterwards on the phone, NMFS responded to this general request regarding clarity of instructions by sending another reminder about the application submission time period, and organizing all of the application materials (including application forms, practice worksheets, instructional packet, etc.) into one place and posting them in their own section on the American Lobster page on the NMFS website. This way, interested parties can access everything they need for the Trap Transfer Program all in one place, and in an electronic format.

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

Respondents will not receive any gifts or payment.

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

As stated on the forms, all data will be kept confidential as required by [NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics](#). Final eligibility determinations and trap allocations are available to the public, consistent with current practices relative to NMFS permit data, but no confidential data is included in this information, or ever made available.

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.

For each trap transfer transaction, both the seller and buyer of the traps need to fill out, sign, and date the trap transfer application form together; resulting in two applicants/parties (buyer and seller) for each application/transaction. **NMFS estimates that for each two-party transaction, it takes 10 minutes to complete the application form, sign the form in agreement, and submit the final application to NMFS.** The time required for a permit holder to submit a trap transfer application online is roughly the same as submitting a hard copy, but the costs of an electronic submission could be \$0.00, since those choosing that option may already have access to a computer and the internet. In the first two years of the Trap Transfer Program, most applications have been received by email or fax, but several are still received in hard copy format through the mail. It can be difficult to determine, in any given year, how applications will be submitted, and there are still participants with limited access to computers and the internet. So we will assume—for the purposes of public burden estimation—that all participants will conduct their transactions using hard-copy submissions.

While it is difficult to estimate how many Federal lobster permit holders will take advantage of the Trap Transfer Program in any given year, data is now available from the first two years of the program for some preliminary reference. NMFS initially predicted that the greatest number of transfers would take place within the first two to three years of the program (in its early stages); with a rapid decline in following years as businesses stabilize, the availability of traps decrease, and prices for remaining traps increase. With only two years of data, it is difficult to see evidence of any trends at this time, and NMFS can only adjust estimations accordingly. NMFS can only make rough estimates about permit holder participation in the Trap Transfer Program at this time; but drawing on preliminary data from the first two years, these approximations are better informed than in the initial estimate.

In general, based upon relative interest and initial numbers, NMFS estimates that approximately 25 percent of those permit holders with trap allocations in one of the transferable areas (Area 2, Area 3, Outer Cape Cod Area) may decide to transfer traps. **This amounts to 86 permit holders¹.** Permit holders with trap allocation in other areas and those with non-trap permits may

¹This figure is based on the total number of qualifiers for the three areas: Area 2 = 190; Area 3 = 132; Outer Cape Area = 19; 190 + 132 + 19 = 341; **Total = 341 X 0.25= 86.**

also be interested in establishing a trap allocation for the trap transferability areas. Some factors that may influence a permit holder's decision to "buy in" to one of these areas may be: The availability and price of traps; the location of the permit holders; the gear types they use; and the other areas and allocations they may already be authorized to fish. Given these factors, initial program numbers, and other uncertainties—including the current failing stock status of Southern New England lobster—it may be sufficient to estimate that about 5 percent of all Federal lobster permit holders who do not have allocation in Area 2, Area 3 or the Outer Cape Area, may participate in the Trap Transfer Program in any given year. There are 3,072 Federal lobster permits in 2016. If we consider the 341 permits that qualify for at least one of the three trap transfer areas, the result is 2,731 permits that are not granted a trap allocation for these areas, and would need to "buy in" to gain access. We can assume that only those permit holders who are actively fishing their permits would want to add new fishing areas and expand the regions in which they can continue to fish²; so if we remove the 389 permits currently inactive in CPH (confirmation of permit history), we are left with 2,342 permits. Five percent of all lobster permits in this subset gives us **a total of 118 permits/permit holders** who would potentially participate in the Trap Transfer Program. When this is added to the number of permit holders with allocation in Area 2, Area 3, and the Outer Cape Area that are expected to participate (25 percent of the 341 total = 86), **the overall number of potential annual participants to buy and/or sell traps in any given year is approximately 204 Federal lobster permit holders.**

Each transfer transaction requires two permit holders, a buyer and a seller. Therefore, the number of expected participants is twice the number of actual transactions. **If 204 permit holders buy or sell traps in a given year, then the number of transfer transactions would be half that number, or 102 transactions. If each transaction takes 10 minutes to complete, then the total time for 204 permit holders to transfer traps through 102 transactions during the annual trap transfer application submission window is 17 hours (102 transactions X 10 minutes per transaction = 1,020 minutes = 17 hours).**

Originally, this collection was part of a new rulemaking action, and included efforts to obtain additional information from American lobster permit holders to implement a limited access permit program. The limited access portion of the collection is now complete and has been removed from this collection, significantly decreasing the overall burden. In addition, the Trap Transfer Program has now begun, and has nearly two years of preliminary data from which to adjust burden estimates. When this collection was first approved, the total annualized number of responses was estimated to be around 340, with total annualized burden of 60 hours. Revised for the conclusion of the limited access program and adjustments based on gathered trap transfer data, these numbers have decreased by 238 and 43, respectively. **Current estimates for the annual Trap Transfer Program collection of information, as described above, predict approximately 102 two-party transactions from 204 respondents, creating an overall public burden of 17 hours annually.**

² There has been some evidence of permit holders with CPH permits *selling* traps through the Trap Transfer Program, but these are individuals that already have allocation Areas 2, 3, or OC, and would not need to "buy in."

Table 1. Estimate of Annual Time Burden on Respondents

Collection of Information	Estimated Burden per Response (min)	Number of Respondents	Number of Transactions	Limited Access Program Burden (hours)	Total Annual Burden (hours)
Original	10	432	216	24	60
Current	10	204	102	0	17
Difference/Change	0	-228	-114	-24	-43

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

The cost to submit a trap transfer transaction application is equal to the price of a large letter sized envelope (\$2.00) and postage (\$1.22), totaling \$3.22, added to the cost of copying or faxing each page of the two-sided trap transfer form (two copies, one for each permit holder = \$0.20 per page X four pages; estimated at \$0.80). This adds up to roughly \$4.02 per application transaction. However, each applicant may also need to provide two additional pages of documents such as a letter to show their current trap allocation or permit information. This adds four more pages for copying or faxing, at \$0.20 per page, and about \$0.80 more to the cost. **Therefore, the total cost of each joint transfer transaction is approximately \$4.82, and the estimate of the overall annual cost for all 102 trap transfer transactions at \$4.82 per transaction is \$491.64.**

When this collection was first approved, it included the implementation of a limited access permit program for Areas 2 and the Outer Cape. Now that this significant program is complete, and the collection only entails the maintenance of the annual lobster Trap Transfer Program, there is much less of an annual cost burden. **Initially, annualized cost burden for this collection was \$1,398.33, but after the removal of burden costs from the limited access program, and adjustments for the reduced number of estimated transactions, this annual cost burden was reduced by \$906.69; bringing the current estimated annual cost burden to \$491.64.**

Table 2. Estimate of Annual Cost Burden on Respondents

Collection of Information	Estimated Burden per Response (\$)	Number of Respondents	Number of Transactions	Limited Access Program Burden (\$)	Total Annual Burden (\$)
Original	5.62	432	216	184.41	1,398.33
Current	4.82	204	102	0	491.64
Difference/Change	-0.80	-228	-114	-184.41	-906.69

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

NMFS calculated the total estimated burden on the government from the lobster Trap Transfer Program collection based upon the estimated 204 permit holders who may apply to this program each year, the 102 annual trap transfer transactions expected to take place, and the time and costs associated with the applications' review and approval. NMFS expects the number of participants

to decrease over time as fishermen stabilize their businesses and available traps become scarce, but this estimate may stand to mark the burden on an annual basis since it is uncertain how trap availability and market forces may impact the amount of transactions over time.

Labor Costs

Permit holders will submit trap transfer applications either electronically or in hard copy to the Greater Atlantic Regional Permit Office, where they will be reviewed and processed by a Legal Instruments Examiner (GS-10, Step 8, hourly rate of \$35.01). For the purposes of this estimate, we will assume that all transactions come in hard copy form, to ensure that the full burden is accounted for. The examiner will take about 10 minutes (\$5.83) per application to enact the transfers which includes checking the permits and trap allocations, returning incomplete applications and auditing the information to be sure that the appropriate ending trap allocations are correct in the internal and regional trap transfer databases. A letter or email will also be sent to the affected permit holders to verify the transaction, or to deny the submission if insufficient traps are available in the seller's permit. A Supervisory Permit Specialist (GS-14 Step 1, \$52.52 hourly) will also conduct a summary review of the decisions prior to approval, taking 2 minutes (\$1.75) per transaction. **Therefore, each transaction is estimated at 12 minutes for a total cost of \$7.58. For all 102 transactions, this totals to 20.4 hours, at a labor cost of \$773.16³.**

Material Costs

The material (non-labor) costs to the Federal government for soliciting, processing, and responding to applications are the costs of paper, envelopes, and postage for any correspondence not conducted electronically. Itemized costs of those materials needed include envelopes at \$0.09 per envelope (\$9.00 per box of 100 envelopes), and sheets of paper at \$.01 per sheet (500 sheets per one ream at \$5.00 per ream). Postage for could be covered with a single letter sized envelope, approximately 1 ounce in weight, for a postal charge of \$0.49 per response. To get the full burden estimate, we can assume that most correspondence will include two sheets of paper. Therefore, the total material costs of mailing a letter to each applicant is approximately \$0.60 (\$0.09 + \$0.02 + \$0.49).

It is estimated that approximately 10 percent of trap transfer applications submitted may be incomplete or have errors, requiring some sort of interim correspondence totaling \$0.60 per response. A confirmation letter will also be sent to all participating permit holders with a summary of their new allocations after trap transfers are complete, at the same cost of \$0.60 per response. With the 204 confirmation letters, and additional correspondence to 10 percent (20) of those applicants, the total estimated correspondence burden is 224 letters. **This brings the total material costs to the Federal government per year for the Trap Transfer Program to \$134.40 (224 X \$0.60).**

Total Labor and Materials Costs

The total annual cost for labor, paper and envelopes, and postage is \$907.56 (\$773.16 + \$134.40). Originally, when this collection included the implementation of a limited access permit program for Areas 2 and the Outer Cape, this estimated annualized cost was much higher, at

³ Total cost based on the cost per transaction, rather than burden hours: \$7.58 X 102 = \$773.16

\$6,364.85. However, due to the completion and removal of the limited access program, and the adjustment of the annual Trap Transfer Program estimates, this number has decreased appropriately by \$5,457.29.

Table 3. Estimate of Annual Cost Burden on Federal Government

Collection of Information	Labor Cost (\$)	Material Cost (\$)	Total Annual Burden (\$)
Original	4,079.60	2,285.25	6,364.85
Current	773.16	134.40	907.56
Difference/Change	-3,306.44	-2,150.85	-5,457.29

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

When this collection was originally approved, it was attached to a rulemaking action that included the implementation of a limited access permit program for Areas 2 and Outer Cape Cod in addition to the Trap Transfer Program. This limited access program has now been completed, and that portion of the collection is no longer necessary, so it has been removed from the overall cost and burden. The Trap Transfer Program has been underway for two years, with preliminary data from which to adjust original burden estimates.

Initially, it was predicted that 50 percent of lobster permit holders qualified for transferable areas (Area 2, Area 3, Outer Cape Cod Area), and 10 percent of the rest of the permit holders who weren't qualified would participate in the Trap Transfer Program; bringing the total participants to roughly 432, and the number of two-party transfer transactions/applications to 216. However, based on the interest and results of the first two years of the program, these numbers are closer to participation from 25 percent of lobster permit holders qualified in these areas, and 5 percent of the remaining permit holders; for a total of 204 participants and 102 transactions/applications.

When this collection was first approved, the total annualized number of responses was estimated to be around 340; with the original, estimated, annualized burden for this entire collection totaling 60 hours. The Trap Transfer Program was expected to account for 216 responses and 36 of those hours annually, while the limited access program would make up the remaining 124 responses and 24 hours. The revised estimates for this collection, with only the annual Trap Transfer Program, predict approximately 102 two-party transactions from 204 respondents, creating an overall burden of 17 hours annually; which is a decrease of 238 responses and 43 burden hours each year from original estimates. This change amounts to a program change (removal of the limited access program) that accounts for the reduction of 124 responses and 24 hours, and an adjustment (revised trap transfer estimates based on observed number of responses) that is responsible for the remaining decline of 114 responses and 19 hours.

Originally, the annualized cost burden to respondents for this collection was \$1,398.33; with the annual cost of the Trap Transfer Program totaling \$1,213.92, and the limited access program costing an annual \$184.41. The revised estimates for this collection expect an annual cost burden of \$491.64 for just the Trap Transfer Program, a decline of \$906.69. The program change of removing the limited access program from the collection is responsible for \$184.41 of that cost decrease, and the Trap Transfer Program adjustment of prospective applicants based on the first two years of data accounts for the remaining \$722.28 of difference.

The initial annualized cost to the Federal government for this collection including labor and materials was estimated to be around \$6,364.85; with \$1,861.81 for the annual Trap Transfer Program, and \$4,503.04 coming from the limited access program each year. The current collection of information for the annual Trap Transfer Program is estimated to cost the Federal government \$907.56 with current revisions; which is a reduction of \$5,457.29 from previous estimates. A total of \$4,503.04 of the reduction was a result of the program change to remove the limited access program from the collection, and the additional \$954.25 came from the adjustment to the Trap Transfer Program.

Table 4. Reasons for Changes to Annual Burden Estimates

	Number of Respondents	Number of Transactions	Time Burden on Respondents (hours)	Cost Burden on Respondents (\$)	Cost Burden on Federal Government (\$)
Original Collection	432	340	60	1,398.33	6,364.85
Program Change	N/A ⁴	-124	-24	-184.41	-4,503.04
Adjustment	-228	-114	-19	-722.28	-954.25
Current Collection	204	102	17	491.64	907.56

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

There are no plans to use any of the trap transfer application data provided to the Federal government through this information collection for publication. However, the information is made available to state agencies to track and facilitate trap transfers, and manage state and Federal trap allocations for economic and conservation purposes. Updated trap allocation data is made available annually online to help facilitate the trap transfer process, and may be needed in the future to support program enforcement or relevant fishery management actions.

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

No statistical methods will be employed for the purposes of this information collection requirement.

⁴ Permit holders involved in Limited Access Program overlap with those in Trap Transfer program. For “true” difference you can refer to the “Number of Transactions” or the same respondents affected by the Adjustment.

50 CFR 697.27 Trap transferability as of June 1, 2015.

(a) Federal lobster permit holders may elect to participate in a program that allows them to transfer trap allocation to other participating Federal lobster permit holders, subject to the following conditions:

(1) *Participation requirements.* To be eligible to participate in the Federal Trap Transfer Program:

(i) An individual must possess a valid Federal lobster permit; and

(ii) If the individual is dually permitted with both Federal and state lobster licenses, the individual must agree to synchronize his or her state and Federal allocations in each area for which there is an allocation. This synchronization shall be set at the lower of the state or Federal allocation in each area. This provision does not apply to Areas 1 and 6 as neither area have a Federal trap allocation.

(iii) Individuals participating in the Lobster Management Area 1 trap fishery may participate in the Trap Transfer Program, but doing so may result in forfeiture of future participation in the Area 1 trap fishery as follows:

(A) Area 1 fishers may accept, receive, or purchase trap allocations up to their Area 1 trap limit identified in §697.19 and fish with that allocation both in Area 1 and the other area or areas subject to the restrictive provisions of §697.3 and §697.4(a)(7)(v).

(B) Area 1 fishers with trap allocations in Areas 2, 3, and/or the Outer Cape Area may transfer away or sell any portion of that allocation, but, in so doing, the Area 1 fisher shall forfeit any right to fish in Area 1 with traps in the future.

(2) *Trap allocation transfers.* Trap allocation transfers will be allowed subject to the following conditions:

(i) *State/Federal alignment.* Participants with dual state and Federal permits may participate in the Trap Transfer Program each year, but their state and Federal trap allocations must be aligned as required in paragraph (a)(1)(ii) of this section at the start and close of each trap transfer period.

(ii) *Eligible traps.* Buyers and sellers may only transfer trap allocations from Lobster Management Areas 2, 3, and the Outer Cape Area.

(iii) *Debiting remaining allocation.* The permit holder transferring trap allocations shall have his or her remaining Federal trap allocation in all Lobster Conservation Management Areas debited by the total amount of allocation transferred. This provision does not apply to Areas 1 and 6, as neither area have a Federal trap allocation. A seller may not transfer a trap allocation if, after the transfer is debited, the allocation in any remaining Lobster Conservation Management Area would be below zero.

(iv) *Crediting allocations for partial trap transfers.* In a partial trap transfer, where the transfer is occurring independent of a Federal lobster permit transfer, the permit holder receiving the transferred allocation shall have his or her allocation credited as follows:

(A) *Trap retirement.* All permit holders receiving trap allocation transfers shall retire 10 percent of that transferred allocation from the fishery for conservation. This provision does not pertain to full business transfers where the transfer includes the transfer of a Federal lobster permit and all traps associated with that permit.

(B) *Multi-area trap allocation history.* To the extent that transferred trap allocations have been granted access into multiple management areas, the recipient may elect any and all management areas for which the traps have demonstrated history.

(C) All trap allocation transfers are subject to whatever trap allocation cap exists in the involved lobster management area. No participant may receive a transfer that, when combined with existing allocation, would put that permit holder's trap allocation above the involved trap caps in §697.19.

(v) In all allocation transfers, the buyer's and seller's initial allocations shall be calculated as being the allocation that the buyer and seller would otherwise have on the last day of the fishing year.

(vi) Trap allocations may only be transferred in 10-trap increments.

(vii) Trap allocation transfers must be approved by the Regional Administrator before becoming effective. The Regional Administrator shall approve a transfer upon a showing by the involved permit holders of the following:

(A) The proposed transfer is documented in a legible written agreement signed and dated by the involved permit holders. The agreement must identify the amount of allocation being transferred as well as the Federal lobster permit number from which the allocation is being taken and the Federal lobster permit number that is receiving the allocation. If the transfer involves parties who also possess a state lobster license, the parties must identify the state lobster license number and state of issuance.

(B) That the transferring permit holder has sufficient allocation to transfer and that the permit holder's post-transfer allocation is clear and agreed to. In determining whether seller has sufficient allocation to transfer, the Regional Administrator will calculate the seller's pre-transfer and post-transfer allocations. The pre-transfer allocation shall be the amount of the seller's allocation as it would exist on the last day of the fishing year. The post-transfer allocation shall be the pre-transfer allocation minus the total amount of traps being transferred prior to application of the 10-percent trap retirement set forth in paragraph (a)(2)(iv)(A) of this section.

(C) That the permit holder receiving the transfer has sufficient room under any applicable trap cap identified in §697.19 to receive the transferred allocation and that the recipient's post-transfer allocation is clear and agreed to. In determining whether the buyer has sufficient room to receive allocation, the Regional Administrator will calculate the buyer's pre-transfer and post-transfer allocations. The pre-transfer allocation shall be the amount of the buyer's allocation as it would exist on the last day of the fishing year. The post-transfer allocation shall be the pre-transfer allocation plus the total amount of traps being transferred minus 10 percent of the transferred allocation that shall be retired pursuant to the provisions of (a)(2)(iv)(A) of this section.

(3) *Trap transfer period.* The timing of the Trap Transfer Program is as follows:

(i) Federal lobster permit holders must declare their election into the program in writing to the NMFS Permit Office. Electing into the Trap Transfer Program is a one-time declaration, and the permit holder may participate in the program in later years without needing to re-elect into the program year after year. Federal permit holders may elect into the program at any time in any year, but their ability to actively transfer traps will be limited by the timing restrictions identified in paragraphs (a)(3)(ii) and (iii) of this section.

(ii) All trap transfer requests must be made in writing before September 30 each year, and if approved, will become effective at the start of the next fishing year. The Regional Administrator shall attempt to review, reconcile and notify the transferring parties of the disposition of the requested transfer before December 31 each year. Transfers are not valid until approved by the Regional Administrator.



LOBSTER TRANSFER TRAP ALLOCATION APPLICATION FOR THE 2017 FISHING YEAR

SEND TO:
TRAP TRANSFER PROGRAM
GREATER ATLANTIC REGION PERMIT OFFICE
NATIONAL MARINE FISHERIES SERVICE
55 GREAT REPUBLIC DRIVE, GLOUCESTER, MA 01930
Fax: 978-281-9161
Email: nmfs.gar.permits@noaa.gov

Use this form to request a permanent transfer of American lobster traps. We will accept completed transfer applications beginning August 1st through those postmarked no later than September 30, 2016. We will provide written approval or disapproval of this request by December 31, 2016. Transferred allocation will be effective at the beginning of the following fishing year on May 1, 2017. **Please note** that you must meet the regulatory requirements at 50 CFR 697.27 (listed on back) to buy or sell traps. We will not process incomplete forms or forms found with errors.

If you are a dual permit holder (state and Federal), the trap allocation on both state and Federal permits must be the same before you can transfer traps. If your state and Federal allocations are not the same, then you can align them by permanently electing the lower allocation for both permits. By signing below, both the buyer and seller are declaring into the Trap Transfer Program, and, if necessary, agree that their state and Federal allocations will be aligned at the lower of the two values at the beginning and end of each trap transfer period. Refer to the Lobster Trap Transfer Program Guide for more information. Please contact our Analysis and Program Support Division at 978-282-8483 with any questions.

Seller's Permit Information	Transaction # <input style="width: 40px;" type="text"/>
Name: _____	
Business Name: _____	
F/V: _____	
Permit Number: _____	
MRI: _____	
State/State Permit Number: _____	
Phone: _____	

Buyer's Permit Information	Transaction # <input style="width: 40px;" type="text"/>
Name: _____	
Business Name: _____	
F/V: _____	
Permit Number: _____	
MRI: _____	
State/State Permit Number: _____	
Phone: _____	

_____ → (Less 10% Conservation Tax) = _____
Number of traps debited from Seller (ends in "0"*) **Number of traps received by Buyer**

*Traps must be sold in multiples of 10.

Signed: _____
(Seller)

Signed: _____
(Buyer)

Dated: _____

Dated: _____

Transfers are not final until approved by NMFS. Buyers and sellers are cautioned not to finalize payments until NMFS approves a transfer. Due to the poor condition of Southern New England lobster stock, lobster managers are considering new regulations that have the potential to significantly restrict lobster fishing in Areas 2, 3, 4 and 5. Permit holders are advised to transfer traps at their own risk.

Please contact the Permit Office at 978-282-8483 with any questions.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other suggestions for reducing this burden to John K. Bullard, Regional Administrator, Greater Atlantic Region, NMFS, 55 Great Republic Drive, Gloucester, MA 01930-2298.

All data will be kept confidential as required by NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics; however, final eligibility determinations and trap allocations may be made available to the public, consistent with current practices relative to NMFS permit data. 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.

50 CFR 697.27 Trap transferability as of June 1, 2015.

(a) Federal lobster permit holders may elect to participate in a program that allows them to transfer trap allocation to other participating Federal lobster permit holders, subject to the following conditions:

(1) *Participation requirements.* To be eligible to participate in the Federal Trap Transfer Program:

(i) An individual must possess a valid Federal lobster permit; and

(ii) If the individual is dually permitted with both Federal and state lobster licenses, the individual must agree to synchronize his or her state and Federal allocations in each area for which there is an allocation. This synchronization shall be set at the lower of the state or Federal allocation in each area. This provision does not apply to Areas 1 and 6 as neither area have a Federal trap allocation.

(iii) Individuals participating in the Lobster Management Area 1 trap fishery may participate in the Trap Transfer Program, but doing so may result in forfeiture of future participation in the Area 1 trap fishery as follows:

(A) Area 1 fishers may accept, receive, or purchase trap allocations up to their Area 1 trap limit identified in §697.19 and fish with that allocation both in Area 1 and the other area or areas subject to the restrictive provisions of §697.3 and §697.4(a)(7)(v).

(B) Area 1 fishers with trap allocations in Areas 2, 3, and/or the Outer Cape Area may transfer away or sell any portion of that allocation, but, in so doing, the Area 1 fisher shall forfeit any right to fish in Area 1 with traps in the future.

(2) *Trap allocation transfers.* Trap allocation transfers will be allowed subject to the following conditions:

(i) *State/Federal alignment.* Participants with dual state and Federal permits may participate in the Trap Transfer Program each year, but their state and Federal trap allocations must be aligned as required in paragraph (a)(1)(ii) of this section at the start and close of each trap transfer period.

(ii) *Eligible traps.* Buyers and sellers may only transfer trap allocations from Lobster Management Areas 2, 3, and the Outer Cape Area.

(iii) *Debiting remaining allocation.* The permit holder transferring trap allocations shall have his or her remaining Federal trap allocation in all Lobster Conservation Management Areas debited by the total amount of allocation transferred. This provision does not apply to Areas 1 and 6, as neither area have a Federal trap allocation. A seller may not transfer a trap allocation if, after the transfer is debited, the allocation in any remaining Lobster Conservation Management Area would be below zero.

(iv) *Crediting allocations for partial trap transfers.* In a partial trap transfer, where the transfer is occurring independent of a Federal lobster permit transfer, the permit holder receiving the transferred allocation shall have his or her allocation credited as follows:

(A) *Trap retirement.* All permit holders receiving trap allocation transfers shall retire 10 percent of that transferred allocation from the fishery for conservation. This provision does not pertain to full business transfers where the transfer includes the transfer of a Federal lobster permit and all traps associated with that permit.

(B) *Multi-area trap allocation history.* To the extent that transferred trap allocations have been granted access into multiple management areas, the recipient may elect any and all management areas for which the traps have demonstrated history.

(C) All trap allocation transfers are subject to whatever trap allocation cap exists in the involved lobster management area. No participant may receive a transfer that, when combined with existing allocation, would put that permit holder's trap allocation above the involved trap caps in §697.19.

(v) In all allocation transfers, the buyer's and seller's initial allocations shall be calculated as being the allocation that the buyer and seller would otherwise have on the last day of the fishing year.

(vi) Trap allocations may only be transferred in 10-trap increments.

(vii) Trap allocation transfers must be approved by the Regional Administrator before becoming effective. The Regional Administrator shall approve a transfer upon a showing by the involved permit holders of the following:

(A) The proposed transfer is documented in a legible written agreement signed and dated by the involved permit holders. The agreement must identify the amount of allocation being transferred as well as the Federal lobster permit number from which the allocation is being taken and the Federal lobster permit number that is receiving the allocation. If the transfer involves parties who also possess a state lobster license, the parties must identify the state lobster license number and state of issuance.

(B) That the transferring permit holder has sufficient allocation to transfer and that the permit holder's post-transfer allocation is clear and agreed to. In determining whether seller has sufficient allocation to transfer, the Regional Administrator will calculate the seller's pre-transfer and post-transfer allocations. The pre-transfer allocation shall be the amount of the seller's allocation as it would exist on the last day of the fishing year. The post-transfer allocation shall be the pre-transfer allocation minus the total amount of traps being transferred prior to application of the 10-percent trap retirement set forth in paragraph (a)(2)(iv)(A) of this section.

(C) That the permit holder receiving the transfer has sufficient room under any applicable trap cap identified in §697.19 to receive the transferred allocation and that the recipient's post-transfer allocation is clear and agreed to. In determining whether the buyer has sufficient room to receive allocation, the Regional Administrator will calculate the buyer's pre-transfer and post-transfer allocations. The pre-transfer allocation shall be the amount of the buyer's allocation as it would exist on the last day of the fishing year. The post-transfer allocation shall be the pre-transfer allocation plus the total amount of traps being transferred minus 10 percent of the transferred allocation that shall be retired pursuant to the provisions of (a)(2)(iv)(A) of this section.

(3) *Trap transfer period.* The timing of the Trap Transfer Program is as follows:

(i) Federal lobster permit holders must declare their election into the program in writing to the NMFS Permit Office. Electing into the Trap Transfer Program is a one-time declaration, and the permit holder may participate in the program in later years without needing to re-elect into the program year after year. Federal permit holders may elect into the program at any time in any year, but their ability to actively transfer traps will be limited by the timing restrictions identified in paragraphs (a)(3)(ii) and (iii) of this section.

(ii) All trap transfer requests must be made in writing before September 30 each year, and if approved, will become effective at the start of the next fishing year. The Regional Administrator shall attempt to review, reconcile and notify the transferring parties of the disposition of the requested transfer before December 31 each year. Transfers are not valid until approved by the Regional Administrator.

Byrd at SEDAR (see **FOR FURTHER INFORMATION CONTACT**) to request an invitation providing webinar access information. Please request webinar invitations at least 24 hours in advance of each webinar.

SEDAR address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405; www.sedarweb.org.

FOR FURTHER INFORMATION CONTACT: Julia Byrd, SEDAR Coordinator, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; phone (843) 571-4366; email: julia.byrd@safmc.net.

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions, have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a three-step process including: (1) Data Workshop; (2) Assessment Process utilizing webinars; and (3) Review Workshop. The product of the Data Workshop is a data report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The product of the Assessment Process is a stock assessment report which describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The assessment is independently peer reviewed at the Review Workshop. The product of the Review Workshop is a Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, Highly Migratory Species Management Division, and Southeast Fisheries Science Center. Participants include: Data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and non-governmental organizations (NGOs); international experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion at the Data Scoping webinar are as follows:

1. Participants will review and discuss SEDAR 50 stock ID recommendations.

2. Participants will identify potential data sources and discuss data needs and treatments in order to prepare for the Data Workshop.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

This meeting is accessible to people with disabilities. Requests for auxiliary aids should be directed to the SAFMC office (see **ADDRESSES**) at least 5 business days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: October 21, 2016.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2016-25884 Filed 10-25-16; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XE973

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council's (Council) Summer Flounder, Scup, and Black Sea Bass Advisory Panel will hold a public meeting jointly with the Atlantic States Marine Fisheries Commission's (ASMFC's) Summer Flounder, Scup, and Black Sea Bass Advisory Panel.

DATES: The meeting will be held on Thursday, November 17, 2016 from 2 p.m. to 5 p.m. See **SUPPLEMENTARY INFORMATION** for agenda details.

ADDRESSES: The meeting will take place over webinar with a telephone-only

connection option. Details on how to connect to the webinar by computer and by telephone will be available at: <http://www.mafmc.org>.

Council address: Mid-Atlantic Fishery Management Council, 800 N. State Street, Suite 201, Dover, DE 19901; telephone: (302) 674-2331; Web site: www.mafmc.org.

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526-5255.

SUPPLEMENTARY INFORMATION: The Mid-Atlantic Fishery Management Council's Summer Flounder, Scup, and Black Sea Bass Advisory Panel, together with the Atlantic States Marine Fisheries Commission's Advisory Panel, will meet on Thursday, November 17, 2016 (see **DATES** and **ADDRESSES**). The purpose of this meeting is to discuss recreational management measures (*e.g.*, bag limits, size limits, and seasons) and strategies for recreational summer flounder, scup, and black sea bass fisheries in 2017. A detailed agenda and background documents will be made available on the Council's Web site (www.mafmc.org) prior to the meeting.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Saunders, (302) 526-5251, at least 5 days prior to the meeting date.

Dated: October 21, 2016.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2016-25883 Filed 10-25-16; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; American Lobster—Annual Trap Transfer 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. This action proposes to revise and extend information collection for the American lobster fishery Trap Transfer Program.

DATES: Written comments must be submitted on or before December 27, 2016.

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 Peter Burns, Fishery Policy Analyst, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930; (978) 281-9144, Peter.burns@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

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

The American lobster resource and fishery are cooperatively managed by the states and NMFS under the authority of the Atlantic Coastal Fisheries Cooperative Management Act, according to the framework set forth by the Atlantic States Marine Fisheries Commission (ASMFC) in Amendment 3 of its Interstate Fishery Management Plan (ISFMP). This collection of information is in response to several addenda to Amendment 3 of the ISFMP that work to reduce trap fishing effort through limited entry fishing and trap allocation limit reductions. This program is intended to help control fishing efforts while increasing economic flexibility in the American lobster trap fishery.

Currently, Federal lobster permit holders qualified to fish with trap gear in Lobster Conservation Management Areas 2 and 3 are undergoing scheduled annual trap allocation reductions of 5 percent per year until 2021 (Area 2) and 2020 (Area 3). In 2015, in an effort to help mitigate the initial economic burden of these reductions, NMFS and state agencies implemented the Lobster Trap Transfer Program that allows all qualified Federal lobster permit holders to buy and sell trap allocation from Areas 2, 3, or Outer Cape Cod. Each transaction includes a conservation tax of 10 percent, which deducts a number of traps equal to 10 percent of the total number of traps with each transfer,

permanently removing them from the fishery.

NMFS collects annual application forms from Lobster permit holders who wish to buy and/or sell Area 2, 3, or Outer Cape trap allocation through the Trap Transfer Program. The transfer applications are only accepted during a 2-month period (from August 1 through September 30) each year, and the revised allocations for each participating lobster permit resulting from the transfers become effective at the start of the following Federal lobster fishing year, on May 1. Both the seller and buyer of the traps are required to sign the application form, which includes each permit holder's permit and vessel information, the number of traps sold, and the revised number of traps received by the buyer, inclusive of the amount removed according to the transfer tax. Both parties must sign the form as an agreement to the number of traps in the transfer. The parties must date the document and clearly show that the transferring permit holder has sufficient allocation to transfer and the permit holder receiving the traps has sufficient room under any applicable trap cap. This information allows NMFS to process and track transfers of lobster trap allocations through the Trap Transfer Program, and better enables the monitoring and management of the American lobster fishery as a whole.

Originally, this collection was part of a new rulemaking action, and included efforts to obtain information from American lobster permit holders to implement a limited access permit program. NMFS used the information to qualify permit holders for participation in Area 2 and/or the Outer Cape Area, and to allocate traps to each qualified permit. This limited access portion of the collection is complete and no longer necessary, so a revision is requested to remove it from the collection. Also, now that the Trap Transfer Program has been in place for two years, NMFS can better estimate the number of applicants/respondents and have made a minor revision to the burden. The initial estimate of 432 respondents with 216 two-party transaction responses was nearly double what was actually received through the Trap Transfer Program in the first two years; with fewer permit holders participating in the program overall, and/or completing multiple transactions between their own permits. Adjusted estimates of respondents, total burden hours, and costs are noted below in Section III.

II. Method of Collection

Applications for the Trap Transfer Program are accepted annually from

August 1 through September 30 by mail, fax, or email.

III. Data

OMB Control Number: 0648-0673.

Form Number(s): None.

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

Affected Public: Businesses or other for-profit organizations; Individuals or households; Federal government; and State, Local, or Tribal government.

Estimated Number of Respondents: 102.

Estimated Time per Response: 10 minutes.

Estimated Total Annual Burden Hours: 17.

Estimated Total Annual Cost to Public: \$573.24 in reporting/recordkeeping costs.

IV. Request for Comments

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

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

Dated: October 21, 2016.

Sarah Brabson,

NOAA PRA Clearance Officer.

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BILLING CODE 3510-22-P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities Under OMB Review

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 ("PRA"), this notice announces that the Information Collection Request ("ICR") abstracted below has been forwarded to