

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 02/23/2007

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

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 11/21/2006

ACTION REQUESTED: Extension without change of a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 200611-0648-005
TITLE: Pacific Islands Logbook Family of Forms
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0214

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: 02/28/2010

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	1,032,216	2,490	4,400
New	45,330	2,436	1,048
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	-986,886	-54	-3,352
Change due to Agency Adjustment	0	0	0
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: John F. Morrall III
Acting Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Pacific Islands Logbook and Sales Report Forms	NA, NA, NA, NA, NA, NA, NA, NA	Western Pacific Pelagic Fisheries Transshipment Logbook, Western Pacific Daily Lobster Catch Report Log, Western Pacific Pelagic Fisheries Daily Longline Fishing Logbook, Western Pacific/PRIA daily troll and handline log and catch report, Western Pacific Daily Bottomfish Fishing Log, Western Pacific Precious Coral Daily Harvest Log, Western Pacific Precious Coral Sales Report, Western Pacific Lobster Sales Report\	
Pre-trip and pre-offloading notifications			50 CFR 665
Observer placement meetings			50 CFR 665
Claim for reimbursement			50 CFR 665

PAPERWORK REDUCTION ACT SUBMISSION

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

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

19. Certification for Paperwork Reduction Act Submissions

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

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

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

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

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

Signature of Senior Official or designee

Date

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

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT
PACIFIC ISLANDS LOGBOOK FAMILY OF FORMS
OMB CONTROL NO.: 0648-0214**

INTRODUCTION

This Supporting Statement describes a renewal of the existing information collection under OMB Control No.: 0648-0214.

A. JUSTIFICATION

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

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) established regional fishery management councils, including the Western Pacific Fishery Management Council (WPFMC), to develop fishery management plans (FMPs) for fisheries in the U.S. Exclusive Economic Zone (EEZ). These plans, if approved by the Secretary of Commerce (Secretary), are implemented by Federal regulations and enforced by the National Marine Fisheries Service (NMFS) and U.S. Coast Guard (USCG), in cooperation with State agencies to the extent possible. FMPs regulate fishing to ensure the long-term productivity and optimum yield of the resources for the benefit of the U.S.

The WPFMC has jurisdiction over fisheries in the Pacific Ocean in Federal waters seaward of American Samoa, Guam, Hawaii, the Commonwealth of the Northern Mariana Islands (NMI), and the Pacific Remote Island Areas (PRIA).¹ The WPFMC has prepared, and the Secretary has approved and implemented through regulations, FMPs for crustacean, precious coral, pelagic, bottomfish/seamount groundfish fisheries, and coral reef ecosystems in the western Pacific. The regulations include, but are not limited to, permit requirements, gear restrictions, closures, harvest guidelines, reporting requirements, and protected species mitigation measures. The reporting requirements are crucial to ensure that the NMFS will be able to monitor the fishery and that the WPFMC and NMFS have fishery-dependent information to evaluate the effectiveness of management measures, determine whether changes in fishery management programs are necessary, and estimate the impacts and implications of alternative management measures. Information on vessel monitoring system (VMS) units is collected under another clearance (OMB Control No.: 0648-0441 and 0648-0519). VMS units installed on longline vessels in the western Pacific send periodic reports to NMFS on the position of the vessels. NMFS uses the reports to monitor the vessel's location and activities to enforce area closures. Under another clearance (OMB Control No.: 0648-0490), information is collected from fishery participants who obtain fishing permits and experimental fishing permits from NMFS. Permit information provides a means of assessing the size and characteristics of the fishery and identifying those who might be affected by management measures. This submission addresses information needed on actual fishing activities to determine how different participants might be affected and how stocks and other living marine resources might be affected by changes in regulations governing the fishery.

¹Howland, Baker, Jarvis, Wake and Palmyra Islands, Johnston Atoll, Midway Atoll, and Kingman Reef.

Specific reporting requirements for the individual fisheries identified with the relevant section of 50 CFR 665 are as follows:

Pelagic (Longline only)	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§665.14) - Transshipment logbooks (§665.14) - Dealer records (no form) (§665.14) - Pre-trip notification (no form) (§665.23(a)) - Observer placement meeting (no form) (§665.28(d)) - Protected species zone entry/exit notification (no form) (§665.23(b)) - Claim for reimbursement for lost fishing time (no form) (§665.28(i))
Pelagic (Troll and handline)	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§665.14(a))
Crustacean	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§665.14(a)) - Sales report (§665.14(c)) - Dealer packing/weigh-out slips; records (no form) (§665.14(d); §665.14(f)(2)) - Pre-landing notice (no form) (§665.43(a)(1)) - Pre-offloading notice (no form) (§665.43(a)(2)) - At-sea catch report (no form) (§665.50(c))
Bottomfish/Seamount Groundfish	<ul style="list-style-type: none"> - Logbooks: catch and effort data and protected species interactions (§665.14(f)(3)) - Pre-trip notification (no form) (§665.63) - Pre-landing notification (no form) (§665.63) - Observer placement meeting (no form) (§665.65(b))
Precious Coral	<ul style="list-style-type: none"> - Logbooks: catch and effort data (§665.14(a)) - Sales report (in logbook) (§665.14(a))
Experimental Fishing Permits	<ul style="list-style-type: none"> - Experimental fishing reports (no form) (§665.17(e)(vi))

As indicated, these data are needed to monitor the fisheries, determine whether the current management measures are having the intended effects, and evaluate the benefits and costs of changes in management measures.

Pre-trip notifications are required for the American Samoa longline, Hawaii longline and Northwestern Hawaiian Islands (NWHI) bottomfish fisheries to determine whether vessels should be required to carry observers to collect detailed information on the fishery, including total catch and discards, interactions with protected resources, and biological characteristics of the catch. Observers are able to collect more detailed information than could be expected of fishermen. In cases where an observer placement is needed, this collection also provides time for a pre-trip meeting between the vessel operator and NMFS staff to arrange the observer placement. This meeting ensures that the vessel operator and the observer have common information concerning the roles and responsibilities of the operator, crew, and observer during the trip. Pre-trip notices from vessels may also provide a basis for targeting enforcement efforts to determine compliance with management measures.

Logbooks (crustacean, pelagic longline, precious coral, and pelagic troll or handline gear vessels in the western Pacific) are required to obtain catch and effort information. These data are especially needed for determining the condition of the stocks. Drastic changes in catch per unit effort (CPUE) are often indicative of significant shifts in the size and structure of the stock and suggest that changes in management measures may be appropriate to respond to declines or increases in stock sizes.

State of Hawaii logbooks provide NWHI bottomfish catch and effort information which is used by NMFS, among other things, to evaluate and determine the eligibility of vessel owners for renewal of NWHI bottomfish limited access permits (§665.61). There is currently no Federal logbook reporting requirement for the NWHI bottomfish fishery because of NMFS reliance on the State's reporting requirement. The State's bottomfish logbook information is also used for annual reports on the status of the NWHI fishery.

Sales and transshipment reports (crustaceans, precious coral, pelagics) are used to ensure full reporting of all landings and sales of fish from the management unit. The sales report portion of the precious corals logbook provides the basis of understanding the economic value associated with the fishery, which is needed to evaluate the magnitude and distribution of impacts from changes in management regulations.

Catch, effort, and sales reports from lobster fisheries in the western Pacific are required. Pre-landing and pre-offloading notifications would facilitate enforcement of fishery regulations and sampling of the catch to obtain better information on the species and size composition of the landings.

The requirement to report lobster traps left at sea is intended to monitor the impacts of and, when possible, to ensure quick removal of gear that could adversely impact protected Hawaiian monk seals. Although there have been no reports of monk seals interacting with traps, there is still a potential for entanglement while seals are foraging for food.

Reports on protected species interactions (pelagics, crustaceans, bottomfish) are required to ensure that adequate information is collected on any direct impacts of the fishery on the protected species.

Experimental fishing permits (EFPs) are available to all western Pacific fisheries to potentially allow fishing using gear, techniques, or strategies that are otherwise prohibited under the respective fishery management plans. These permits may allow fishermen to experiment with new gear and techniques that might increase catch per unit effort and reduce the catch of incidental species. They also allow fishermen to engage in data collection activities during a closed season in support of NMFS fishery research and management programs or to achieve other desirable objectives. The FMPs require that there be reports of the results of fishing under the EFPs so that there will be a basis for determining whether to change the regulations to allow the new gear or techniques in the fishery. The reports are needed to establish whether the objectives of granting the EFP were achieved.

In rare situations, a longline or bottomfish vessel operator or owner may incur "lost fishing time"

due to observer injury or illness. If so, the operator or owner may file a claim for compensation based on information about average catches per day at sea the previous two years and current fish prices. While no such claims are expected, the estimate of burdens includes the estimated paperwork associated with one claim per year as a “worst case” scenario.

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.

On a broad level, the reporting requirements provide the information needed by NMFS to regulate and monitor the fisheries managed under the FMPs and to evaluate the effectiveness of management by assessing the status of stocks and the status of the fisheries. The information provides a basis for determining whether changes in management are needed to sustain the productivity of the stocks or to address economic problems in the fishery. The information is also used to provide the basis for evaluating the magnitude and distribution of impacts resulting from changes to the regulations. Without the information, the WPFMC and NMFS would be unable to determine whether management is achieving the objectives of the FMPs and preventing overfishing, the principal requirement of the Magnuson-Stevens Act.

Information from mandated logbooks, sales reports, and, if necessary, packing/weigh-out slips, is used to determine specific changes in fishery patterns, such as seasonal shifts and areas which are more important than others to the stocks or to the fishermen. Information from the logbooks, as well as ancillary dealer records, is used by enforcement agents of NMFS, State, and USCG to monitor compliance with fishing regulations and reporting requirements. Information from pre-trip reports is used by NMFS to determine whether to place observers on selected vessels to obtain detailed information on fishing practices (including interactions with protected species) and the characteristics of the catch.

NMFS observer placement meetings ensure that there is common understanding of the roles and responsibilities of the vessel operator, crew, and observer during a trip. Information from pre-landing reports is used by NMFS to monitor compliance with the fishery regulations. Other users and uses of information under this collection include required documentation submitted by longline vessel operators or owners to receive compensation from NMFS for lost fishing time due to serious injury or illness of a NMFS observer and allowing NMFS to monitor for potential adverse impacts to protected species and the ecosystem.

Reports provided by fishermen as required under the experimental fishing program allow NMFS to use and disseminate the results of prohibited fishing activities which, when conducted under the NMFS-specified controlled conditions, can yield much needed information on the resources and fisheries.

As explained in the preceding paragraphs, the information gathered has utility. 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 #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all

applicable information quality guidelines. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical, or general informational publications. Should NMFS decide to disseminate the information, it will be subject to the quality control measures and pre-dissemination review pursuant to Section 515 of Public Law 106-554, as well as laws and policies controlling distribution of fisheries information.

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.

NMFS and the WPFMC are continuing to investigate information technology advances that would simplify the collection and reduce the burden. For example, reporting of catch and effort data electronically in association with vessel monitoring system (VMS) units is already being done on a limited basis. None of the collection elements that comprise this overall proposal is difficult or burdensome, and the specifications for electronic reporting are being refined to provide a strong basis for its adoption by all participants in fisheries managed by NMFS in the western Pacific. Logbook data are currently entered daily on forms provided by NMFS to prevent data quality problems from faulty recall. Pre-trip notifications are easily made by telephone, fax, or email, as are pre-landing/off-loading notifications.

4. Describe efforts to identify duplication.

NMFS carefully considered whether there were collections by other Federal agencies or state or territorial agencies that might meet the information needs presented above. It was concluded that no other collections, besides the requested collecting information, would meet these reporting requirements.

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

All of the vessels in the federally-managed fisheries in the western Pacific region are small business entities of similar sizes and are affected comparably. No special measures are needed to accommodate different sized businesses.

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

Without this collection or if it is conducted less frequently, NMFS and the WPFMC will be unable to make management decisions effectively and in a timely manner. In turn, the long-term economic and biological health of the fisheries may be compromised.

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

This collection is consistent with OMB guidelines, except that the frequency of the collections exceed the minimum quarterly reporting schedule and in most cases the collections require a

response time of less than 30 days. The reporting frequency and response time for fishery-dependent data vary with specific reporting requirements. Daily logbooks were deemed most appropriate for detailed catch and effort data needed to assess the status of the stocks and the impacts of the fishery on the stocks, as well as the impact of regulations on the fisheries. Telephone notifications before and after the trips for selected fisheries are required on a trip-by-trip basis to ensure the ability to place observers on a sound basis and to enhance compliance monitoring. EFP reports would be on an event basis. Transshipment reports would be required only for days when such activity occurs. Collecting data less frequently would diminish NMFS' and the WPFMC's ability to make timely management decisions.

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

Public comment has been solicited on this renewal collection to OMB Control No.: 0648-0214 in a *Federal Register* Notice published March 30, 2006 (71 FR 16121). No comments were received in regards to this collection.

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

No payments or gifts are involved in this collection.

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

Under Section 402(b) of the Magnuson-Stevens Act and NOAA Administrative Order 216-100, information submitted in accordance with regulatory requirements under the Act is confidential. This includes personal and propriety information contained in the logbooks.

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

No questions of a sensitive nature are asked.

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

There are currently 220 respondents in the collection. The estimated total number of burden hours was revised to 2,436. The estimated number of responses per year is 45,330, for logbooks, protected species interaction reports, sales and transshipment reports, reports of gear left at sea, lost fishing time reports, observer placement meetings, area closure request forms, experimental fishing reports, and pre-trip and post-landing notifications.

Estimate of logbook and reporting burden minutes/hours

	Number of Trips/Reports	Min. per Report	Burden hours/minutes
Pelagic:			
WP daily longline logbook	23,000	5	1,917 hours
Pre-trip notification	22,000	1	367 hours
Observer placement meeting	130	60	130 hours
WP longline transshipment log	10	5	50 minutes
Dealer record	0	5	0
Protected species zone notification	0	1	0
Claim for reimbursement	1	240	4 hours
WP-PRIA troll and handline log	2	5	10 minutes
Bottomfish/Seamount Groundfish:			
WP daily bottomfish log	75	5	6 hours
Pre-trip notification	40	1	40 minutes
Pre-offloading notification	40	1	40 minutes
Observer placement meeting	8	60	8 hours
Precious Coral:			
WP precious coral harvest log	5	5	25 minutes
WP precious coral sales log	5	5	25 minutes
Crustacean:			
WP daily lobster catch report	7	5	35 minutes
WP lobster sales report	7	5	35 minutes
Dealer packing/weight slips	0	3	0
Pre-landing notification	0	3	0
Pre-offloading notification	0	3	0
At-sea catch report	0	3	0
Report of gear left at sea	0	5	0
Experimental Fishing Permits	0	240	0
Totals	45,330		2,436 hours

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 #12 above).

There is no “start up” capital cost for complying with this requirement. The annual total cost to respondents is estimated at \$1,048, which includes pre-trip notification telephone calls (\$675) and miscellaneous postage and telephone calls (\$373). VMS costs included in the last renewal submission were eliminated from the total annual cost to respondents because this equipment was purchased by NMFS and because ongoing VMS requirements are covered under OMB Control No.: 0648-0441 and 0648-0519, as stated earlier.

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

The estimated annual cost to the Federal government to administer this collection of information is \$2,820. This includes the cost for printing daily catch and effort log forms at \$1,680 per year, which is calculated by the cost of staff time for receiving and transmitting the report forms to appropriate NMFS personnel for analysis (84 hours x \$20/hr); and the cost to administer the pre-trip notifications at \$1,140 (76 hours x \$15/hr).

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

Adjustments were made both in hours and costs:

Due to some burden duplication with OMB Control No.: 0648-0441 and 0648-0519, 390 hours were subtracted from this collection. However, more detailed description of remaining burden by each information collection, response time required, and number of responses for each, 336 hours were added. Thus, there is a net decrease of 54 hours.

As stated in #13, VMS costs of \$3,352 included in the last submission were eliminated from the total annual cost to respondents because this equipment was purchased by NMFS, and the ongoing costs are covered in OMB Control No.: 0648-0441 and 0648-0519.

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

No formal scientific publications based on these collections are planned at this time. The data will be used for fisheries management and protected species reports, FMP amendments, and evaluations by NMFS and the WPFMC. However, subsequent use of the data collected over a series of years may include scientific papers and publications.

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

The expiration date will be shown on the report forms used under this collection.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.



OMB Control No.: 0648-0216
Expiration Date: 11/30/2006

WESTERN PACIFIC PELAGIC FISHERIES DAILY LONGLINE FISHING LOGBOOK

NAME OF VESSEL _____

PERMIT NUMBER _____

TO

Paperwork Reduction Act Information

Public reporting burden for this collection is estimated to average 5 minutes per response, with an average of about 35 minutes, 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 aspect of this collection of information, including suggestions for reducing this burden, to Regional Administrator, Pacific Islands Region, NMFS, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, Hawaii 96814-4700.

This information is being collected to ensure accurate and timely records about the fishing activity of persons licensed to participate in fisheries under Federal regulations in the Western Pacific Region. This will enable the National Marine Fisheries Service and the Western Pacific Fishery Management Council to (a) determine how those persons would be affected by changes in management; (b) ensure that they are informed about prospective changes in fishery regulations and the analysis of estimated impacts; and (c) determine whether the objectives of the fishery program are being achieved by monitoring the fishery and evaluating the impacts on stocks and the fishery participants and related businesses. Responses to the collection are required to obtain the benefit of a license for the fishery involved (ref. 50 CFR 665.13). Data provided concerning the activities and business of the respondents are handled as confidential under the Magnuson-Stevens Fishery Conservation and Management Act (Sec. 402(b)). Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject 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.

NMFS WESTERN PACIFIC DAILY LONGLINE FISHING LOG

OMB Control No.: 0648-0214

Expiration Date: 11/30/2006

VESSEL _____ **PERMIT NUMBER** _____

Date of Departure from Port: ___/___/___ **Port:** _____

Date of Return to Port: ___/___/___ **Port:** _____

NMFS USE ONLY
HL Trip Type: _____
HL Trip No.: _____

SET INFORMATION **Observer on Board:** []

DATE OF SET: ___/___/___	Set Type: [] Deep-set (tuna) [] Shallow-set (swordfish)
Number of Hooks Set _____ hooks	Length of Mainline Set _____ miles
Hooks per Float _____	Number of Lightsticks _____
BEGIN SET Time: ____:____	Position: _____° _____' N_/S__ Latitude; _____° _____' E_/W__ Longitude
END SET Time: ____:____	Position: _____° _____' N_/S__ Latitude; _____° _____' E_/W__ Longitude

HAUL INFORMATION

DATE OF HAUL: ___/___/___	
BEGIN HAUL Time: ____:____	Position: _____° _____' N_/S__ Latitude; _____° _____' E_/W__ Longitude
END HAUL Time: ____:____	Position: _____° _____' N_/S__ Latitude; _____° _____' E_/W__ Longitude
Number of Hooks Lost: _____ hooks	

PELAGIC SPECIES			PROTECTED SPECIES			
	NUMBER OF FISH			NUMBER RELEASED		
	Kept	Released		Uninjured	Injured	Dead
TUNAS:			SEALS:			
Albacore (<i>tonbo</i>)	15		Monk Seal	51		
Bigeye tuna	16		Sea Lions	72		
Yellowfin tuna	17		Other Seals			
Skipjack tuna (<i>aku</i>)	22		DOLPHINS:			
Bluefin tuna	19		Bottlenose	70		
BILLFISH:			Spinner	71		
Blue marlin	1		Other dolphins			
Striped marlin (<i>nairagi</i>)	2		WHALES:			
Sailfish	4		Humpback	66		
Spearfish (<i>hebi</i>)	5		False Killer	52		
Swordfish (<i>broadbill</i>)	6		Other whales			
Other marlin (specify):			TURTLES:			
OTHER PELAGICS:			Green	53		
Mahimahi	11		Leatherback	54		
Moonfish (<i>opah</i>)	12		Loggerhead	60		
Wahoo (<i>ono</i>)	13		Olive ridley	59		
Oilfish (<i>walu</i>)	20		Hawksbill	64		
Pomfret (<i>monchong</i>)	21		Unidentified hardshell	65		
Other pelagics (specify):			BIRDS:			
SHARKS:			Black-foot Albatross	73		
Blue shark	7		Laysan Albatross	74		
Mako shark	8		Short-tailed Albatross	75		
Thresher shark	9		Other birds (specify):			
Oceanic white-tip shark	24					
Other Shark (specify):						

I certify that the above information is complete and true to the best of my knowledge:

VESSEL CAPTAIN/OPERATOR: Print name: _____

CML #: _____ **Signature:** _____ **Date:** _____

Please submit to: NMFS Pacific Islands Fisheries Science Center, ATTN: FMAP, 2570 Dole St., Honolulu, HI 96822, or to the nearest authorized NMFS representative.

Paperwork Reduction Act Information

Public reporting burden for this collection is estimated to average 5 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 aspect of this collection of information, including suggestions for reducing this burden, to Regional Administrator, Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814.

This information is being collected to provide information needed by NMFS to regulate and monitor bottomfish management unit species under the Fishery Management Plan for Bottomfish in the Western Pacific Region (FMP) and to evaluate the effectiveness of management by assessing the status of stocks and the status of the fisheries. The information will provide a basis for determining whether changes in management are need to sustain the productivity of the stocks or to respond to interactions between fishing vessels and protected species and to address economic problems in the fishery. The information is also used to provide a basis for evaluating the magnitude and distribution of impacts resulting from changes to the regulations. Responses to the collection are required under 50 CFR 665.14. Propriety data provided concerning the vessel and/or business of the respondents are handled as confidential under the Magnuson-Stevens Fishery Conservation and Management Act (Sec. 402(b)). Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject 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.

INSTRUCTIONS FOR DAILY LONGLINE FISHING LOGBOOK

VESSEL: Enter name of vessel.

PERMIT NO.: Enter Federal longline fishing permit number (vessel's Official No.)

DATE OF DEPARTURE FROM PORT: Enter date vessel left port.

PORT: Enter port of departure.

DATE OF RETURN TO PORT: Enter date vessel returned to port.

PORT: Enter port of return.

OBSERVER ON BOARD: Check (✓) if observer on board.

DATE OF SET: Enter date (month/day/year) when the longline set began.

SET TYPE: Check (✓) which type of set you are using, deep (tuna) or shallow (swordfish).

NO. of HOOKS SET: Enter total number of hooks set along the entire longline.

LENGTH OF MAINLINE SET: Enter length of the mainline set in nautical miles.

BAIT TYPE: Enter type of bait used.

NO. HOOKS/FLOAT: Enter the typical number of hooks used between two floats.

NO. LIGHT STICKS: Enter total number of light sticks used along the longline in the set.

BEGIN SET - Time: Enter time (using 24 hour clock - Local Time) when setting operation began.

Position: Enter latitude and longitude at the beginning of the longline set. Use degree ° and minute ' ; check (✓) N for north or S for south latitude; check (✓) W for west or E for east longitude, as appropriate.

END SET - Time: Enter time (using 24 hour clock - Local Time) when setting of the longline gear was completed.

Position: Enter latitude and longitude at the end of the setting operation. Use degree ° and minute ' ; check (✓) N for north or S for south latitude; check (✓) W for west or E for east longitude, as appropriate.

DATE OF HAUL: Enter date (month/day/year) when vessel began to haul in the longline gear.

BEGIN HAUL - Time: Enter time (using 24 hour clock - Local Time) when hauling of the longline gear began.

Position: Enter latitude and longitude at the beginning of the hauling operation. Use degree ° and minute ' ; check (✓) N for north or S for south latitude; check (✓) W for west or E for east longitude, as appropriate.

END HAUL - Time: Enter time (using 24 hour clock - Local Time) when all longline gear was back on board the vessel.

Position: Enter latitude and longitude at the end of the longline gear hauling operation. Use degree ° and minute ' ; check (✓) N for north or S for south latitude; check (✓) W for west or E for east longitude, as appropriate.

NUMBER OF HOOKS LOST: Enter number of hooks lost upon retrieval.

PELAGIC SPECIES: Enter the numbers Kept and Released (not kept) for each pelagic species. Note: No tally column is provided in this logsheet. Please enter only the numbers of fish Kept or Released (not kept).

PROTECTED SPECIES: Enter the numbers of protected species released uninjured, injured, or dead.

VESSEL CAPTAIN/ OPERATOR: Print name and enter signature of the captain/operator.

CML: Enter Commercial Marine License number

DATE: Enter date (month/day/year) when the logsheet was completed and signed by the vessel captain/operator.

- **The Vessel Captain must record catch and effort information in the logbook within 24 hours of hauling in the longline gear.**
- **The Vessel Captain must submit completed logbook sheets to the National Marine Fisheries Service within 72 hours following his or her return to port after each trip.**

Please submit logsheet to: NMFS Pacific Islands Fisheries Science Center
ATTN: FMAP
2570 Dole Street
Honolulu, Hawaii 96822-2396
For further information, call: Phone: (808) 983-5325

NMFS TRANSSHIPMENT LOG REPORT FOR PELAGIC MANAGEMENT UNIT SPECIES
 Pacific Islands Region

VESSEL _____ PERMIT NO. _____ DATE ____ / ____ / ____
 (Name of vessel receiving fish) Date fish received (M/D/Y)

BROKER or SHIPPING AGENT _____ PORT of LANDING _____

VESSEL _____		VESSEL REGISTRATION NO. _____
(Name of vessel offloading fish)		
If the offloading vessel is a fishing vessel, provide the following:		
Number of days vessel fished _____	General area of catch (✓)	
Average No. of hooks fished per day _____	() North Pacific 180° - 90° E	
Number of sets made _____	() North Pacific 90° W - 180°	
	() South Pacific 180° - 90° E	
	() South Pacific 90° W - 180°	
SPECIES	NUMBER RECEIVED	TOTAL WEIGHT (POUNDS) RECEIVED
BLUE MARLIN		
STRIPED MARLIN		
SAILFISH		
SPEARFISH		
SWORDFISH		
MAHIMAHI		
WAHOO		
MOONFISH		
BLUE SHARK		
MAKO SHARK		
THRESHER SHARK		
SHARK FINS		
ALBACORE TUNA		
BIGEYE TUNA		
YELLOWFIN TUNA		
Other TUNA		

PRINT NAME _____ DATE ____ / ____ / ____
 (Vessel captain/operator) (Month/Day/Year)

SIGNATURE _____

Submit this form within 72 hrs of the vessel's arrival in port to land transshipped fish.
 In Hawaii, submit to: NMFS Pacific Islands Fishery Science Center
 2570 Dole Street, Honolulu, HI 96822
 In Am. Samoa, submit to: NMFS American Samoa Field Office, c/o Dept. of Marine & Wildlife
 Resources, Fagatogo, Tutuila, Am. Samoa

WESTERN PACIFIC PELAGIC FISHERIES

TRANSHIPMENT LOGBOOK

Paperwork Reduction Act Information

PUBLIC REPORTING BURDEN FOR THIS COLLECTION IS ESTIMATED AT 5 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 ASPECT OF THIS COLLECTION, INCLUDING SUGGESTIONS FOR REDUCING THIS BURDEN, TO REGIONAL ADMINISTRATOR, PACIFIC ISLANDS REGION, NMFS, 1601 KAPIOLANI BLVD., SUITE 1110, HONOLULU, HI 96814.

This information is being collected to ensure accurate and timely records about the fishing activity of persons licensed to participate in fisheries under Federal regulations in the Western Pacific Region. This will enable the National Marine Fisheries Service and the Western Pacific Fishery Management Council to (a) determine how these persons would be affected by changes in management; (b) ensure that they are informed about prospective changes in fishery regulations and the analysis of estimated impacts; and (c) determine whether the objectives are being achieved by monitoring the fishery and evaluating the impacts on stocks and the fishery participants and related businesses. Responses to the collection are required to obtain the benefit of a license for the fishery involved (ref. 50 CFR 660.13). Data provided concerning the activities and business of the respondents are handled as confidential under the Magnuson-Stevens Fishery Conservation and Management Act (Sect. 402(b)). Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject 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.

NOAA WESTERN PACIFIC/PRIA DAILY TROLL & HANDLINE LOG No. XXXXX

VESSEL NAME _____ FEDERAL PERMIT # _____
 Date of Departure from Port (mm/dy/yr): ____/____/____ Departure Port: _____
 Date of Return to Port (mm/dy/yr): ____/____/____ Return Port: _____

FISHING INFORMATION

Observer on Board (check if yes): []

DATE FISHED (mm/dy/yr): ____/____/____	PRIA (area) FISHED: _____
TIME STARTED FISHING (24 hour clock): _____	
BEGIN FISHING LOCATION: Position: _____° _____' N_/S_ Latitude; _____° _____' E_/W_ Longitude	
END FISHING LOCATION: Position: _____° _____' N_/S_ Latitude; _____° _____' E_/W_ Longitude	
Target species: _____	

EFFORT INFORMATION

Fishing Method – check all fishing methods used on this day	Number of Hours Used – fill in the number of hours for each gear	Amount of Gear – fill in the number of poles or lines used for each gear type on this day
Trolling with Lures		Number of poles used
Trolling with Live Bait		Number of poles used
Handline		Number of lines used
Other (please describe)		Amount of other gear used (please describe)

FISH CATCH INFORMATION

Species Name (code #)	FISH KEPT (retained)		FISH RELEASED	
	Number of fish caught and kept	Estimated total weight of fish caught and kept	Number of fish released alive	Number of fish discarded dead
Albacore (<i>apako</i>) (15)				
Skipjack tuna (<i>aku</i>) (22)				
Yellowfin tuna (17)				
Bigeye tuna (16)				
Mahimahi (11)				
Wahoo (<i>ono</i>) (13)				
Blue Marlin (1)				
Striped Marlin (2)				
Other species (specify)				

PROTECTED SPECIES INFORMATION

Species (code #)	Number released			Species (code #)	Number released		
	Uninjured	Injured	Dead		Uninjured	Injured	Dead
Monk Seals (51)				Green Turtle (53)			
Dolphin/Porpoise				Leatherback Turtle (54)			
Whales				Loggerhead Turtle (60)			
Laysan Albatross (74)				Olive Ridley (59)			
Black-footed Albatross (73)				Unidentified Hardshell (65)			
Short-tailed Albatross (75)				Other species (specify)			
Unidentified bird							

I certify that the above information is complete and true to the best of my knowledge:

VESSEL CAPTAIN/OPERATOR: Print name: _____

CML: _____ Signature: _____ Date: _____

Submit form to: NMFS Pacific Islands Fisheries Science Center, ATTN: FMAP, 2570 Dole St., Honolulu, HI 96822

Western Pacific Daily Troll and Handline Catch Report

Paperwork Reduction Act Information:

Public reporting burden for this collection is estimated at 5 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 aspect of this collection of information, including suggestions for reducing this burden, to Regional Administrator, NMFS Pacific Islands Region, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814-4700.

This information is being collected to ensure accurate and timely records about the fishing activity of persons licensed to participate in fisheries under Federal regulations in the western Pacific region. This will enable the National Marine Fisheries Service and the Western Pacific Fishery Management Council to (a) determine how those persons would be affected by changes in management; (b) ensure that they are informed about prospective changes in fishery regulations and the analysis of estimated impacts; and (c) determine whether the objectives of the fishery program are being achieved by monitoring the fishery and evaluating the impacts on stocks, the fishery participants, and related businesses. Responses to the collection are required to obtain the benefit of a license for the fishery involved (ref. 50 CFR 665.13). Data provided concerning the activities and business of the respondents are handled as confidential under the Magnuson-Stevens Fishery Conservation and Management Act (Sec. 402(b)). Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject 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.

No. _____

OMB Control No.: 0648-0214
Expiration Date: 12/31/2006



**NATIONAL MARINE FISHERIES SERVICE
PACIFIC ISLANDS REGION**

WESTERN PACIFIC DAILY LOBSTER CATCH REPORT LOG

Name of Vessel: _____ Lobster Permit No. _____

Number of Crew: _____ Start Latitude: _____ Start Longitude: _____

Wave Height: 0-2 ft. 2-4 ft. 4-6 ft. 6-8 ft. 8-10 ft. 10-15 ft. >15 ft.

Depth of set (fathoms): _____ Sea Surface Temp. (°F): _____ Wind Speed (knots): _____

Date Gear Set: _____ Time Begin Set (24 hr clock): _____ # Traps Set: _____

Date Gear Haul: _____ Time End Haul (24 hr clock): _____ # Traps Haul: _____

Traps Lost: _____

CATCH INFORMATION

Species	NUMBER KEPT		NUMBER DISCARDED	
	Non-berried	Berried	Non-Berried	Berried
Spiny Lobster (specify species)				
Slipper Lobster (specify species)				
Crab (specify species)				
Octopus				
Other (specify species)				
Other (specify species)				
Other (specify species)				

PROTECTED SPECIES OBSERVATIONS

(enter seal and turtle numbers; identify "Other" in appropriate box)	Monk Seal	Turtle	Other
Observed in area			
Observed in vicinity of gear			
Interfering with fishing operations			
Preying on released lobsters			
Entangled and released alive			
Entangled and released dead			

Logged by Vessel Captain: _____ Date: _____

Print Name: _____ Signature: _____

Submit report to: NMFS Pacific Islands Fisheries Science Center, ATTN: FMAP, 2570 Dole Street, Honolulu, HI 96822.

Western Pacific Daily Lobster Catch Report

Paperwork Reduction Act Information:

Public reporting burden for this collection is estimated at 5 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 aspect of this collection of information, including suggestions for reducing this burden, to Regional Administrator, NMFS Pacific Islands Region, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814-4700.

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No. 000001

NOAA FISHERIES SERVICE WESTERN PACIFIC LOBSTER SALES REPORT

Vessel Name _____ Permit Number _____

Name of First Level Buyer _____

(Fill out a separate form for each buyer)

Business Address _____

Telephone number: (____) _____ FAX number: (____) _____

E-mail address: _____

All lobsters off-loaded to this buyer (yes/no) _____

Port of Landing _____ Date of landing _____

Location of off-load _____ Date all lobsters off-loaded _____

SALES INFORMATION

Species	Frozen Tails			Live			Other product form (specify)		
	Sold (circle one) No. or Wt. (lbs)	Value Total value of product sale (\$\$\$)	Not Sold (circle one) No. or Wt. (lbs)	Sold (circle one) No. or Wt. (lbs)	Value Total value of product sale (\$\$\$)	Not Sold (circle one) No. or Wt. (lbs)	Sold (circle one) No. or Wt. (lbs)	Value Total value of product sale (\$\$\$)	Not Sold (circle one) No. or Wt. (lbs)
Spiny Lobster									
Slipper Lobster									
Octopus									
Other (specify)									
Other (specify)									
Other (specify)									

PACKING/WEIGHOUT DOCUMENTATION ATTACHED TO THIS REPORT?: YES ___/NO ___

I certify that the above information is complete and true to the best of my knowledge.

Vessel Captain/operator: (Print name) _____

(signature) _____

Date: _____

Paperwork Reduction Act Information

Public reporting burden for this collection is estimated to average 5 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 aspect of this collection of information, including suggestions for reducing this burden, to Regional Administrator, Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814.

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INSTRUCTIONS FOR COMPLETING THE WESTERN PACIFIC LOBSTER SALES REPORT

VESSEL NAME: Name of fishing vessel.

PERMIT NUMBER: Western Pacific Crustacean Fishery Permit number.

NAME OF FIRST LEVEL BUYER: Name of the first level buyer, i.e. initial buyer of the product from the permit holder.

BUSINESS ADDRESS: Address of first level buyer.

TELEPHONE NUMBER: Business or other contact telephone number of *first level buyer*

First level buyer: (1) the first person who purchases, with the intention to resell management unit species or portions thereof that were harvested by a vessel that holds a valid permit or is otherwise regulated under Subpart D of 50 CRF Part 660; or (2) a person who provides recordkeeping, purchase, or sales assistance in the first transaction involving management unit species (such as the services provided by a wholesale auction facility).

FAX NUMBER: FAX number of the first level buyer.

E-MAIL ADDRESS: e-mail address of first level buyer.

ALL LOBSTERS OFFLOADED TO THIS BUYER: Yes or No.

PORT OF LANDING: Port of vessel return (e.g., Honolulu, Hilo, Kodiak, Los Angeles, etc.).

DATE OF RETURN: Date of vessel return to port.

LOCATION OF OFF-LOAD: Port of off-load (e.g., Honolulu, Hilo, Kodiak, Los Angeles, etc.).

DATE ALL LOBSTERS OFF-LOADED: Date of completion of offloading.

SALES INFORMATION

Values should be input into the correct column matching the species and product form.

SPECIES: If species is not listed then fill in the species in the "Other (specify)" box.

Sold (circle one) No. or Wt. (lbs): List total number or weight **sold**, circle No. or Wt. to indicate unit of measure.

Not Sold (circle one) No. or Wt. (lbs): List total number or weight **not sold**, circle unit i.e. No. or Wt. to indicate unit of measure.

Value: Total **value** (\$) of the product.

PACKING/WEIGHOUT DOCUMENTATION ATTACHED TO THIS REPORT: Circle Yes or No. If yes, then attach the packing/weighout documentation to this form.

VESSEL CAPTAIN/OPERATOR: Print full name, sign on signature line, date of report completion.

VESSEL REPORTING OBLIGATION REQUIREMENTS

The vessel captain/operator must submit to the National Marine Fisheries Service, within 72 hours of offloading of lobster, an accurate and complete lobster sales report (one for each first level buyer) and attach packing/weighout documentation if provided by the first level buyer(s).

Upon request any first level buyer must allow an authorized officer of the National Marine Fisheries Service or designee of the Regional Administrator to access, inspect, and copy all records relating to the harvest, sale, or transfer of any product taken by a vessel that has permits issued under 50 CRF 660.41.

NMFS WESTERN PACIFIC DAILY BOTTOMFISH FISHING LOG

No. _____

VESSEL _____ **PERMIT NUMBER** _____

Date of Departure from Port: ___/___/___ **Port:** _____

Date of Return to Port: ___/___/___ **Port:** _____

<p>NMFS USE ONLY Trip Type: _____ Trip No.: _____</p>
--

BOTTOMFISH OPERATIONS INFORMATION

Observer on Board: []

Fishing Date ___/___/___	No. of Lines _____	No. of Hooks/Line _____	Fishing area/bank _____
Fishing Location: _____° _____' N___/S___ Latitude;		_____° _____' E___/W___ Longitude	
Hours Fished _____	Begin Time: _____:_____	End Time: _____:_____	(24 hr. clock)
Anchor/Drift _____	Fishing Depth Range (fathom) _____		
Wind Speed (knots)/Direction _____/_____		Wave Height(feet) _____	
Bait Type _____		Chum used (circle one) Yes/No	

INFORMATION ON OTHER FISHING METHODS USED

(Enter catch data into the "CATCH FROM OTHER METHODS USED")

Date of Fishing: ___/___/___	Other gear type (specify-troll etc.): _____	Number of lines: _____
Fishing area/bank _____		Location: _____° _____' N___/S___ Lat.;
		_____° _____' E___/W___ Long.
Hours fished: _____	BEGIN Time: _____:_____	END Time: _____:_____ (24 hr. clock)

BOTTOMFISH SPECIES CATCH				BOTTOMFISH SPECIES CATCH cont.			
SNAPPERS:	Pounds Kept	No. Kept	No. Release	Other species:	Pounds Kept	No. Kept	No. Release
Onaga				Dog tooth tuna(white tuna)			
Yellowtail Kalekale				(specify)			
Ehu				(specify)			
Gindai				(specify)			
Uku				Sharks			
Lehi				(specify)			
Opakapaka				(specify)			
Yelloweye opakapaka							
Taape (Sas)				CATCH FROM OTHER METHODS USED			
OTHER (specify)				MISC. SPECIES	Pounds Kept	No. Kept	No. Release
				(specify)			
GROUPELERS:				(specify)			
Lyretail Grouper				(specify)			
Blacktip Grouper							
Eight-banded Grouper							
OTHER (specify)				PROTECTED SPECIES			
				MARINE MAMMALS:	Uninjured	Injured	Dead
EMPERORS:				(specify)			
Mafuti (Redgill Emperor)							
OTHER (specify)				TURTLES:			
OTHER (specify)				(specify)			
JACKS:				SEA BIRDS:			
Black Jack				(specify)			
Amberjack							
OTHER (specify)							

I certify that the above information is complete and true to the best of my knowledge:

VESSEL CAPTAIN/OPERATOR: Print name: _____ Date: _____

Please submit to: NMFS Pacific Islands Fishery Science Center, ATTN: FMAP, 2570 Dole St., Honolulu, HI 96822

Paperwork Reduction Act Information

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INSTRUCTIONS FOR DAILY BOTTOMFISH FISHING LOGBOOK FORM

DAILY BOTTOMFISH LOGBOOK INFORMATION

<u>VESSEL:</u>	Enter name of vessel.
<u>PERMIT NO.:</u>	Enter Federal Offshore fishing permit number (vessel's Official No.)
<u>DATE OF DEPARTURE FROM PORT/PORT:</u>	Enter date vessel left port. Enter port of departure.
<u>DATE OF RETURN TO PORT/PORT:</u>	Enter date vessel returned to port. Enter port of return.
<u>OBSERVER ON BOARD:</u>	Check (✓) if observer on board.
<u>FISHING DATE:</u>	Enter date (month/day/year) of fishing.
<u>NO. OF LINES:</u>	Enter number of fishing lines/line haulers.
<u>NO. of HOOKS/LINE:</u>	Enter typical number of hooks on each fishing line/rig.
<u>FISHING AREA/BANK:</u>	Enter name of fishing area/bank.
<u>FISHING LOCATION:</u>	Enter latitude and longitude of the fishing area/bank. Use degree ° and minute ' ; check (✓) N for north or S for south latitude; check (✓) W for west or E for east longitude, as appropriate.
<u>HOURS FISHED:</u>	Enter the total number of hours fished.
<u>BEGIN TIME:</u>	Enter time (using 24 hour clock - Local Time) of start of fishing.
<u>END TIME:</u>	Enter time (using 24 hour clock - Local Time) of end of fishing.
<u>ANCHOR/DRIFT:</u>	Circle the major type of bottomfishing activity.
<u>FISHING DEPTH RANGE (fathom):</u>	Enter the depth of fishing in fathoms. If the depth varies as while using a drift method of fishing then the range of depths fished should be entered.
<u>WIND SPEED(knots) /DIRECTION:</u>	Enter the estimated wind speed in knots. Enter the estimated wind direction-E, NE, N, NW, W, SW, S, SE.
<u>WAVE HEIGHT (feet):</u>	Enter the estimated wave height in feet.
<u>CURRENT SPEED(knots)/DIRECTION:</u>	Enter the estimated current speed in knots. Enter the estimated current direction- E, NE, N, NW, W, SW, S, SE.
<u>BAIT TYPE:</u>	Enter the type(s) of bait used.
<u>CHUM USED:</u>	Circle yes if chum was used and no if chum was not used.
<u>BOTTOMFISH SPECIES CATCH information:</u>	Enter the total Pounds Kept, No. Kept, and No. Release by species for all fish caught. If the species is not listed write the species name in the OTHER(specify) box and fill in the required information. Additional information must be filled in when using a gear type other than bottomfish gear. Enter date of fishing, specify type of gear used, number of lines, fishing area/bank, fishing location, hours fished, begin time, and end time. Catch should be listed in the "CATCH FROM OTHER METHODS USED" section of the logbook page. Catch information instructions are identical to those required for the bottomfish species (see above).
<u>INFORMATION ON OTHER FISHING METHODS:</u>	
<u>PROTECTED SPECIES:</u>	Enter the numbers of protected species released uninjured, injured, or dead.
<u>VESSEL CAPTAIN/ OPERATOR/DATE:</u>	Print name of the captain/operator. Enter date (month/day/year) when the log sheet was completed by the vessel captain/operator.

- **The Vessel Captain must record ALL catch and effort information in the logbook within 24 hours of completing the daily fishing activities.**
- **The Vessel Captain must submit completed Trip Level logbook sheets to the National Marine Fisheries Service within 72 hours following his or her return to port after each trip.**

Please submit form to: NMFS, Pacific Islands Fisheries Science Center
2570 Dole Street, Rm 119
Honolulu, Hawaii 96822-2396
For further information, call: Phone: (808) 983-5326

**NOAA National Marine Fisheries Service
 Western Pacific Precious Coral Daily Harvest Log**

Collector/Company Name: _____
 Vessel Name: _____ PERMIT NO.: _____ Radio call sign: _____
 Date of Harvest: _____ Harvest method: _____ Area Fished: _____
 Start time (24 hr clock): _____ Start Lat.: _____ Start Lon.: _____
 End time (24 hr clock): _____ End Lat.: _____ End Lon.: _____
 Harvest depth range (fathoms-max/min): _____/_____
 Number of Dives: _____ No. of hours fished (bottom time): _____
 Port of Landing: _____
 Video Record Provided: () Yes/() No (applies to submersible/ROV harvest only)

Catch Information

Common Name	Species <small>(names subject to change)</small>	Number of Coral Trees Harvested	Weight Harvested <small>(pounds)</small>
Pink Coral	<i>Corallium secundum</i>		
	<i>Corallium regale</i>		
	<i>Corallium laauense</i>		
Gold Coral	<i>Gerardia</i> sp.		
	<i>Callogorgia gilberti</i>		
	<i>Narella</i> sp.		
	<i>Calyptrophora</i> sp.		
Bamboo Coral	<i>Lepidisis olapa</i>		
	<i>Acanella</i> sp.		
Black Coral	<i>Antipathes</i> sp.		
	<i>A. dichtoma</i>		
	<i>A. grandis</i>		
Comments: (current, bottom type, bottom topography, bottom slope, proximity to land, etc.)			

Marine Mammal/Other Species Interactions

<small>(Enter numbers; please identify in appropriate box)</small>	Marine Mammal	Other
Observed in area		
Observed in vicinity of gear		
Interfering with fishing operations		
Other interactions (specify type)		

Logged by Vessel Captain/Operator

Print name: _____ Date: _____

Signature: _____

Please submit to: Pacific Islands Fisheries Science Center, ATTN: FMAP, 2570 Dole St., Honolulu, HI 96822.

Paperwork Reduction Act Information

Public reporting burden for this collection is estimated to average 5 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 aspect of this collection of information, including suggestions for reducing this burden, to Regional Administrator, Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814.

This information is being collected to provide information needed by NMFS to regulate and monitor bottomfish management unit species under the Fishery Management Plan for Bottomfish in the Western Pacific Region (FMP) and to evaluate the effectiveness of management by assessing the status of stocks and the status of the fisheries. The information will provide a basis for determining whether changes in management are needed to sustain the productivity of the stocks or to respond to interactions between fishing vessels and protected species and to address economic problems in the fishery. The information is also used to provide a basis for evaluating the magnitude and distribution of impacts resulting from changes to the regulations. Responses to the collection are required under 50 CFR 665.14. Proprietary data provided concerning the vessel and/or business of the respondents are handled as confidential under the Magnuson-Stevens Fishery Conservation and Management Act (Sec. 402(b)). Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject 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.

INSTRUCTIONS FOR COMPLETING THE WESTERN PACIFIC PRECIOUS CORAL HARVEST LOG REPORT

Effort information

COLLECTOR/COMPANY NAME: Individual name (black coral diver), company name of submersible/ROV.

VESSEL NAME: Name of support vessel.

PERMIT NO.: Western Pacific Crustacean Fishery Permit number.

RADIO CALL SIGN: Radio call sign.

DATE OF HARVEST: Date of precious coral harvest.

HARVEST METHOD: Precious coral harvest method, i.e. submersible, hand harvest.

AREA FISHED: General area fished, i.e. island or bank name and location.

START TIME: Start time (24 hour clock) of harvesting operations.

START LATITUDE, START LONGITUDE: Start location of harvest operations.

END TIME: End time (24 hour clock) of harvesting operations.

END LATITUDE, END LONGITUDE: End location of harvest operations.

HARVEST DEPTH RANGE: Maximum and minimum depth of harvest operations (fathoms).

NUMBER OF DIVES: Number of dives conducted in the day.

NO. OF HOURS FISHED (bottom time): Total bottom time of harvesting (all dives combined).

PORT OF LANDING: Port of vessel return (e.g., Honolulu, Hilo, Kodiak, Los Angeles, etc.).

VIDEO RECORD PROVIDED: Check the appropriate box if submersible or ROV dive video is submitted with the report.

Catch Information

NUMBER OF CORAL TREES HARVESTED: Total number of coral trees harvested, tallied by individual species groups.

WEIGHT HARVESTED (lbs): Total wet weight of coral trees harvested, tallied by individual species groups.

Marine Mammal/Other Species Interactions Observations

Enter number of individual species observed in the appropriate activity designation box. Please identify if possible.

CONTACT AND VERIFICATION INFORMATION

CAPTAIN/OPERATOR: Print full name, sign on signature line, date of report completion.

VESSEL REPORTING OBLIGATION REQUIREMENTS

The operator of any fishing vessel subject to the requirements of the Code of Federal Regulations, Title 50, Section 665.81 must maintain onboard the vessel an accurate and complete record of catch, effort, and other data on report forms provided by the Regional Administrator. All information specified on the forms must be recorded on the forms within 24 hours after the completion of each fishing day. Each form must be signed and dated by the fishing vessel operator. The original logbook form must be submitted to the National Marine Fisheries Service within 72 hours of each landing of management unit species. **Submit log report to: Pacific Islands Fisheries Science Center, ATTN: FMAP, 2570 Dole St., Honolulu, HI 96822.**

NOAA National Marine Fisheries Service
Western Pacific Precious Coral Sales Log

Seller Information

Collector/Company name: _____
 Vessel name: _____ Permit Number: _____
 Date of Landing: _____ Port of Landing: _____

Buyer Information (Fill out a separate form for each buyer)

Name of Buyer: _____
 Business Address: _____

Telephone: (____) _____
 FAX: (____) _____
 E-mail: _____

Sales Information

Common Name	Species Name (subject to change)	Number of Coral Trees Sold	Weight Sold (pounds)	REVENUE (\$\$\$)	DATE OF SALE
Pink Coral	<i>Corallium secundum</i>				
	<i>Corallium regale</i>				
	<i>Corallium laauense</i>				
Gold Coral	<i>Gerardia sp.</i>				
	<i>Callogorgia gilberti</i>				
	<i>Narella sp.</i>				
	<i>Calyptrophora sp.</i>				
Bamboo Coral	<i>Lepidisis olapa</i>				
	<i>Acanella sp.</i>				
Black Coral	<i>Antipathes sp.</i>				
	<i>A. dichtoma</i>				
	<i>A. grandis</i>				
Other (specify)					

Captain/Operator/Agent

Print name: _____

Signature: _____ **Date:** _____

Submit form to: Pacific Islands Fisheries Science Center, ATTN: FMAP, 2570 Dole St., Honolulu, HI 96822

Paperwork Reduction Act Information

Public reporting burden for this collection is estimated to average 5 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 aspect of this collection of information, including suggestions for reducing this burden, to Regional Administrator, Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814.

This information is being collected to provide information needed by NMFS to regulate and monitor bottomfish management unit species under the Fishery Management Plan for Bottomfish in the Western Pacific Region (FMP) and to evaluate the effectiveness of management by assessing the status of stocks and the status of the fisheries. The information will provide a basis for determining whether changes in management are needed to sustain the productivity of the stocks or to respond to interactions between fishing vessels and protected species and to address economic problems in the fishery. The information is also used to provide a basis for evaluating the magnitude and distribution of impacts resulting from changes to the regulations. Responses to the collection are required under 50 CFR 665.14. Proprietary data provided concerning the vessel and/or business of the respondents are handled as confidential under the Magnuson-Stevens Fishery Conservation and Management Act (Sec. 402(b)). Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject 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.

INSTRUCTIONS FOR COMPLETING THE WESTERN PACIFIC PRECIOUS CORAL SALES REPORT

Seller Information

Collector/Company name: Individual name (black coral diver), company name of submersible/ROV.

VESSEL NAME: Name of support vessel.

PERMIT NUMBER: Western Pacific Precious Coral Permit number.

DATE OF LANDING: Date of vessel return to port.

PORT OF LANDING: Port of vessel return (e.g., Honolulu, Hilo, Kodiak, Los Angeles, etc.).

Buyer Information

NAME OF BUYER: Name of the first level buyer, i.e. initial buyer of the product from the permit holder. *Fill out separate Sales Form for each buyer.*

BUSINESS ADDRESS: Address of first level buyer.

TELEPHONE: Business or other contact telephone number of *first level buyer*

First level buyer: (1) the first person who purchases, with the intention to resell management unit species or portions thereof that were harvested by a vessel that holds a valid permit or is otherwise regulated under Subpart D of 50 CFR Part 665; or (2) a person who provides recordkeeping, purchase, or sales assistance in the first transaction involving management unit species (such as the services provided by a wholesale auction facility).

FAX: FAX number of the first level buyer.

E-MAIL: e-mail address of first level buyer.

SALES INFORMATION

Values should be input into the correct column matching the species and product form.

SPECIES NAME: If species is not listed then fill in the species in the "Other (specify)" box.

NUMBER OF CORAL TREES SOLD: Number of live coral colonies removed from the bottom.

WEIGHT SOLD (lb): List total weight sold in pounds.

REVENUE: Total value (\$) of the product.

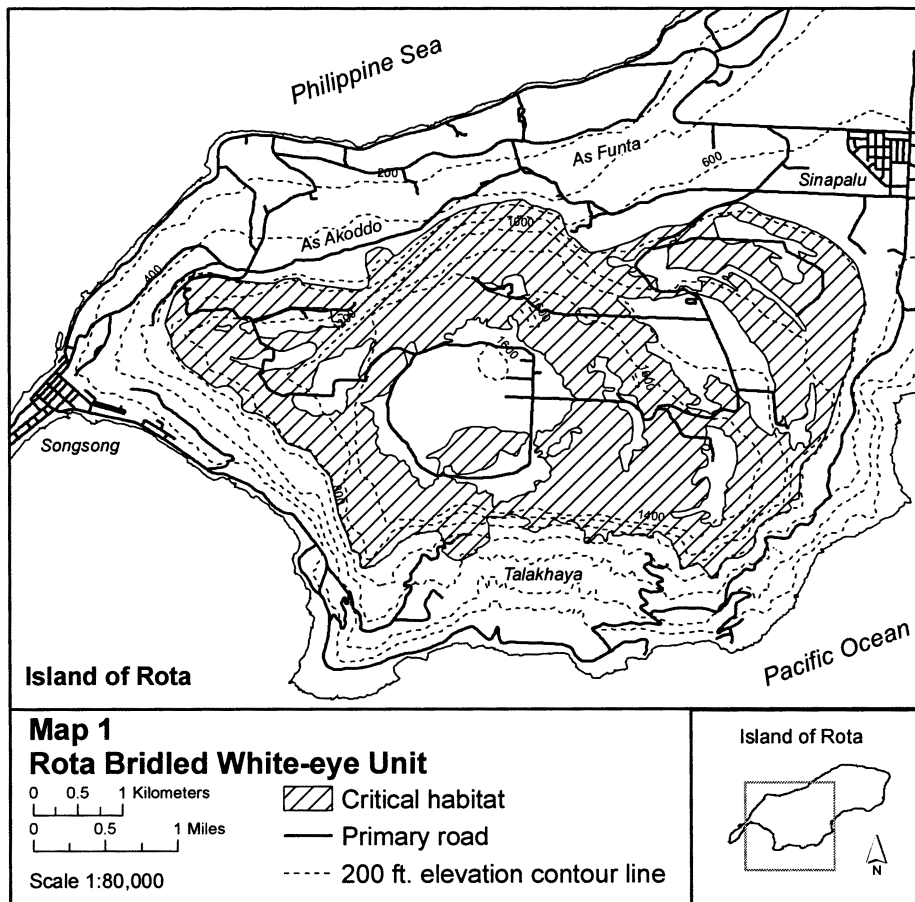
DATE OF SALE: Date of product sale.

CAPTAIN/OPERATOR/AGENT: Print full name, sign on signature line, date of report completion.

VESSEL SALES REPORTING OBLIGATION REQUIREMENTS

The operator of any fishing vessel subject to the requirements of the Code of Federal Regulations, Title 50, Section 665.41 must submit to the National Marine Fisheries Service, within 72 hours of offloading of crustacean management unit species, an accurate and complete sales report on a form provided by the Regional Administrator. The form must be signed and dated by the fishing vessel operator. **Submit form to: Pacific Islands Fisheries Science Center, ATTN: FMAP, 2570 Dole St., Honolulu, HI 96822.**

Upon request any first level buyer must allow an authorized officer of the National Marine Fisheries Service or designee of the Regional Administrator to access, inspect, and copy all records relating to the harvest, sale, or transfer of any product taken by a vessel that has permits issued under 50 CFR 665.41.



* * * * *

Dated: September 5, 2006.

David M. Verhey,
Acting Assistant Secretary for Fish and
Wildlife and Parks.

[FR Doc. 06-7583 Filed 9-11-06; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric
Administration****50 CFR Part 665**[Docket No. 060606149-6234-02; I.D.
052506A]

RIN 0648-AT95

**Fisheries in the Western Pacific;
Omnibus Amendment for the
Bottomfish and Seamount Groundfish
Fisheries, Crustacean Fisheries, and
Precious Coral Fisheries**

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

ACTION: Final rule.

SUMMARY: NMFS issues this final rule to amend three fishery management plans (FMPs) to include fisheries and waters around the Commonwealth of the Northern Mariana Islands (CNMI) and Pacific Remote Island Areas (PRIA). These amendments affect United States domestic fisheries that offload or operate in Federal waters around the CNMI and the PRIA. These amendments establish new permitting and reporting requirements for vessel operators targeting bottomfish species around the PRIA to improve understanding of the ecology of these species and the activities and harvests of the vessel operators that target them. They also establish new permitting and reporting requirements for vessel operators targeting crustacean species and precious corals around the CNMI and PRIA.

DATES: This final rule is effective October 12, 2006, except for amendments to §§ 665.14, 665.41, and 665.61, which require approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA). When OMB approval is received, the effective date will be announced in the **Federal Register**.

ADDRESSES: Copies of the FMP amendments and Environmental Assessment (EA) may be obtained from Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council (WPFMC), 1164 Bishop Street, Suite 1400, Honolulu, HI 96813, or from the web site www.wpcouncil.org. Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this rule may be submitted to William L. Robinson, Regional Administrator, Pacific Islands Region (PIR), NMFS, 1601 Kapiolani Blvd. 1110, Honolulu, HI 96814, or to David Rostker, OMB, by e-mail David_Rostker@omb.eop.gov, or by fax to 202-395-7285.

FOR FURTHER INFORMATION CONTACT:
Robert Harman, NMFS PIR, 808-944-2271.

SUPPLEMENTARY INFORMATION:**Electronic Access**

This **Federal Register** document is also accessible via the Internet at the web site of the Office of the Federal Register: www.gpoaccess.gov/fr/index.html.

Background

The NMFS Pacific Islands Region encompasses Federal waters, i.e., the U.S. Exclusive Economic Zone (EEZ), around the Territories of Guam and American Samoa, the State of Hawaii, the CNMI, and the PRIA. The EEZ extends from the inner boundary of the EEZ, i.e., the seaward limit of each coastal state, commonwealth, territory, and possession, to 200 nautical miles (nm) offshore. For the CNMI and PRIA, the inner boundary of the EEZ is the shoreline, and for Guam, American Samoa, and Hawaii, the inner boundary of the EEZ is 3 nm from the shoreline.

The Federal waters surrounding the CNMI are currently not included in the Fishery Management Plans for the Bottomfish, Crustaceans, or Precious Corals Fisheries of the Western Pacific Region (Bottomfish FMP, Crustaceans FMP, and Precious Corals FMP). Similarly, Federal waters surrounding the PRIA are not included in the Bottomfish or Crustaceans FMPs. Vessels have been known to fish for bottomfish and crustaceans in the Federal waters around the CNMI and PRIA, although on a small scale. While there are currently no known fisheries operating in the PRIA, and no precious corals fisheries operating in the CNMI, interest may arise in the future. This rule amends the FMPs to include fisheries operating in these areas under the FMPs. This rule is designed to establish monitoring systems and management mechanisms to implement specific regulatory controls should the need arise; specific management measures (such as time and area closures, or effort and landing limits) are not included.

Additional background information on this final rule may be found in the preamble to the proposed rule (71 FR 36049) published on June 23, 2005, and is not repeated here.

Comments and Responses

On June 7, 2006, NMFS published in the **Federal Register** a notice of availability of the subject FMP amendments (71 FR 32911), and on June 23, 2006, NMFS published the proposed rule that would implement the amendments (71 FR 36049). The public comment period ended on August 7, 2006. NMFS received one comment on the proposed rule, as follows:

Comment. The US Fish and Wildlife Service (USFWS) recommended the addition of regulatory text to clarify the management authority over commercial fisheries in refuge waters within the PRIA.

Response. The preamble to the proposed rule states that the USFWS

governs fishing activities within refuges, including those in the western Pacific, pursuant to the National Wildlife Refuge System Administration Act (NWRSA) of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997, and other authorities. Refuge waters are closed to all uses until they are specifically opened for such uses, and that the USFWS determines whether to open refuge waters for any use that is compatible with the refuges' primary purpose(s) and mission. While commercial fishing is generally prohibited in refuge waters, specific regulations are absent. Including refuge areas under the Bottomfish, Crustaceans, and Precious Corals FMPs will add specific regulations to these areas, but these regulations will not supersede any valid existing Federal regulations that are more restrictive to fishing operations. NMFS believes that the preamble language recognizes the authority of the USFWS, and adequately addresses the USFWS comments.

Changes to the Proposed Rule

In the proposed rule, instruction 5 would have added at § 665.42 a paragraph to make it unlawful for any person to refuse to make available, to an authorized officer or employee of NMFS designated by the Regional Administrator for inspection and copying, any records that must be made available in accordance with § 665.14(f)(2). This proposed addition would have duplicated an existing prohibition at § 665.15(e), and was deemed unnecessary. Accordingly, that instruction was removed from the final rule.

In the proposed rule, instruction 7 would have revised § 665.69, paragraph (b), to define the inner boundary of each new fishery management area. Although the inner boundary of the PRIA was described in the preamble to the proposed rule as being the shoreline, this definition was inadvertently omitted in the regulatory instructions. Accordingly, instruction 7 was edited to include the inner boundary of the PRIA in § 665.69(b).

Classification

The Assistant Administrator, NMFS, determined that the three FMP amendments are necessary for the conservation and management of the affected fisheries, and that the amendments are consistent with the Magnuson-Stevens Fishery Conservation and Management Act and other applicable laws.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification, or on the economic impact of the rule. As a result, a regulatory flexibility analysis was not required and none was prepared.

This final rule contains amendments to collection-of-information requirements subject to the PRA under OMB control numbers 0648-0214 and 0648-0490. The amendments to these collection of information requirements have not yet been approved by OMB, but OMB approval is expected no later than November 13, 2006. NMFS will publish a notice when these requirements are cleared by OMB and are, therefore, effective (see **DATES**). The public reporting burden for the permit application process is 30 min per application. In the crustaceans fishery, it is estimated that two permit applications will be submitted annually for the permit area, resulting in a paperwork burden of 1 hr/yr. In the bottomfish fishery, it is estimated that no more than five permit applications will be received annually for the permit area, resulting in a paperwork burden of 2.5 hr/yr. In the precious corals fishery, it is estimated that one permit will be applied for annually for the permit area, resulting in 30 min/yr in paperwork burden. Therefore, the total paperwork burden of these collections of information will be no more than four hours annually. The public burden for the proposed reporting requirements is 5 min per daily logsheet. It is estimated that up to eight vessels will be subject to the reporting requirement at any given time, and that each vessel will fish, on average, no more than 50 days/yr, resulting in a total paperwork burden of approximately 35 hr/yr. These estimates include 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 these burden estimates or any other aspect of this data collection, including suggestions for reducing the burden, to William L. Robinson, NMFS PIR (see **ADDRESSES**), or by e-mail to David_Rostker@omb.eop.gov, or fax to 202-395-7285.

Notwithstanding any other provision of the law, no person is required to

respond to, and no person shall be subject to penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB control number.

List of Subjects in 50 CFR Part 665

Administrative practice and procedure, American Samoa, Fisheries, Fishing, Guam, Hawaii, Hawaiian natives, Northern Mariana Islands, Pacific Remote Island Areas, Reporting and recordkeeping requirements.

Dated: September 7, 2006.

Samuel D. Rauch, III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

■ For the reasons set out in the preamble, 50 CFR part 665 is amended as follows:

PART 665—FISHERIES IN THE WESTERN PACIFIC

■ 1. The authority citation for part 665 continues to read as follows:

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

■ 2. In § 665.12, the definitions for “Crustaceans management area”, “Crustaceans permit area 3”, and “Crustaceans receiving vessel” are revised, the definitions of “Crustaceans permit area 4”, “Pacific Remote Island Areas bottomfish fishing permit”, and “Pacific Remote Island Areas crustacean fishing permit” are added, and under the definition of “Precious coral permit area” paragraph (4)(v) is added to read as follows:

§ 665.12 Definitions.

* * * * *

Crustaceans management area means the EEZ waters around American Samoa, the CNMI, Guam, Hawaii, and the PRIA.

* * * * *

Crustaceans Permit Area 3 (Permit Area 3) means the EEZ around Guam and American Samoa, and the EEZ seaward of points 3 nautical miles from the shoreline of the CNMI.

Crustaceans Permit Area 4 (Permit Area 4) means the EEZ around the PRIA, with the exception of EEZ waters around Midway Atoll.

* * * * *

Crustaceans receiving vessel means a vessel of the United States to which lobsters taken in the crustaceans management area are transferred from another vessel.

* * * * *

Pacific Remote Island Areas (PRIA) bottomfish fishing permit means the permit required by § 665.61 to use a

vessel to fish for bottomfish management unit species (MUS) in the EEZ around the PRIA, or to land bottomfish MUS shoreward of the outer boundary of the EEZ around the PRIA, with the exception of EEZ waters around Midway Atoll.

Pacific Remote Island Areas (PRIA) crustacean fishing permit means the permit required by § 665.41 to use a vessel to fish for crustacean management unit species (MUS) in the EEZ around the PRIA, or to land crustacean MUS shoreward of the outer boundary of the EEZ around the PRIA, with the exception of EEZ waters around Midway Atoll.

* * * * *

Precious coral permit area * * *

(4) * * *

(v) Permit Area X-P-CNMI includes all coral beds, other than established beds, conditional beds, or refugia, in the EEZ seaward of points 3 nautical miles from the shoreline of the CNMI.

* * * * *

■ 3. In § 665.14, paragraph (a) is revised to read as follows:

§ 665.14 Reporting and recordkeeping.

(a) *Fishing record forms.* The operator of any fishing vessel subject to the requirements of §§ 665.21, 665.41, 665.81, or 665.602 must maintain on board the vessel an accurate and complete record of catch, effort, and other data on report forms provided by the Regional Administrator. All information specified on the forms must be recorded on the forms within 24 hr after the completion of each fishing day. Each form must be signed and dated by the fishing vessel operator. For the fisheries managed under § 665.21, 665.41, and 665.81, the original logbook form for each day of the fishing trip must be submitted to the Regional Administrator within 72 hr of each landing of MUS, unless the fishing was authorized under a PRIA troll and handline permit, a PRIA crustaceans fishing permit, or a PRIA precious corals fishing permit, in which case the original logbook form for each day of fishing within the PRIA EEZ waters must be submitted to the Regional Administrator within 30 days of each landing of MUS. For fisheries managed under § 665.602, the original logbook form for each day of the fishing trip must be submitted to the Regional Administrator within 30 days of each landing of MUS.

* * * * *

■ 4. In § 665.41, paragraph (a)(2) is revised to read as follows:

§ 665.41 Permits.

(a) * * *

(2) The owner of any vessel used to fish for lobster in Permit Area 2, Permit Area 3, or Permit Area 4, must have a permit issued for that vessel.

* * * * *

■ 5. In § 665.61, paragraph (a)(1) is revised to read as follows:

§ 665.61 Permits.

(a) * * *

(1) The owner of any vessel used to fish for bottomfish management unit species in the Northwestern Hawaiian Islands Subarea or Pacific Remote Island Areas Subarea must have a permit issued under this section and the permit must be registered for use with that vessel.

* * * * *

■ 6. In § 665.62 paragraph (b) is revised, and paragraph (f) is added to read as follows:

§ 665.62 Prohibitions.

* * * * *

(b) Fish for, or retain on board a vessel, bottomfish management unit species in the Ho’omalulu Zone, the Mau Zone, or the Pacific Remote Island Areas without the appropriate permit registered for use with that vessel issued under § 665.13.

* * * * *

(f) Falsify or fail to make or file all reports of bottomfish management unit species landings taken in the Pacific Remote Island Areas, containing all data in the exact manner, as specified in § 665.14(a).

■ 7. In § 665.69, paragraphs (a) introductory text, (b), and (c) are revised, and paragraphs (a)(6), (a)(7), and (a)(8) are added, to read as follows:

§ 665.69 Management subareas.

(a) The bottomfish fishery management area is divided into eight subareas with the following designations and boundaries:

* * * * *

(6) CNMI Inshore Area means that portion of the EEZ shoreward of 3 nautical miles of the shoreline of the CNMI.

(7) CNMI Offshore Area means that portion of the EEZ seaward of 3 nautical miles from the shoreline of the CNMI.

(8) Pacific Remote Island Areas means that portion of the EEZ seaward of the Pacific Remote Island Areas, with the exception of Midway Atoll.

(b) The inner boundary of each fishery management area is a line coterminous with the seaward boundaries of the State of Hawaii, the Territory of American Samoa, the Territory of Guam, the CNMI, and the PRIA.

(c) The outer boundary of each fishery management area is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the territorial sea is

measured, or is coterminous with adjacent international maritime boundaries. The boundary between the fishery management areas of Guam and the CNMI extends to those points which

are equidistant between Guam and the island of Rota in the CNMI.

[FR Doc. E6-15066 Filed 9-11-06; 8:45 am]

BILLING CODE 3510-22-S

This correction will not impose or relax any substantive requirements or burdens on manufacturers. Therefore, NHTSA finds for good cause that any notice and opportunity for comment on these correcting amendments are not necessary.

List of Subjects in 49 CFR Part 571

Imports, Incorporation by reference, Motor vehicle safety; Reporting and recordkeeping requirements, Tires.

■ Accordingly, 49 CFR part 571 is corrected by making the following correcting amendment:

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

■ 1. The authority citation for part 571 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

■ 2. Paragraph S5.3.1 of 571.205 is revised to read as follows:

§ 571.205 Glazing materials.

* * * * *
S5.3 *Shade Bands.* * * *

S5.3.1 Shade bands for windshields shall comply with SAE J100 JUNE 1995.
* * * * *

Issued: October 26, 2006.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.
[FR Doc. E6-18390 Filed 11-1-06; 8:45 am]
BILLING CODE 4910-59-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 665

[Docket No. 060724200-6275-02; I.D. 071106G]

RIN 0648-AT94

Fisheries in the Western Pacific; Western Pacific Bottomfish and Seamount Groundfish Fisheries; Guam Bottomfish Management Measures

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

ACTION: Final rule.

SUMMARY: NMFS issues this final rule to implement Amendment 9 to the Fishery Management Plan for Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region (FMP) that prohibits large vessels, i.e., those 50 ft

(15.2 m) or longer, from fishing for bottomfish in Federal waters within 50 nm (92.6 km) around Guam, and establishes Federal permitting and reporting requirements for these large bottomfish fishing vessels. This final rule is intended to maintain viable participation and bottomfish catch rates by small vessels in the fishery, to maintain traditional patterns of the bottomfish supply to local Guam markets, to provide for the collection of adequate fishery information for effective management, and to reduce the risk of local depletion of deepwater bottomfish stocks near Guam.

DATES: This final rule is effective December 4, 2006, except for the revisions to § 665.14 and § 665.61, which require approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA). When OMB approval is received, the effective date will be announced in the **Federal Register**.

ADDRESSES: Copies of the FMP amendment, including an Environmental Assessment (EA), regulatory impact review (RIR) and final regulatory flexibility analysis (FRFA) may be obtained from William L. Robinson, Administrator, NMFS Pacific Islands Region (PIR), 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700. Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule may be submitted to William L. Robinson (see **ADDRESSES**), or to David Rostker, OMB, by e-mail to David_Rostker@omb.eop.gov, or by fax to 202-395-7285.

FOR FURTHER INFORMATION CONTACT: Robert Harman, NMFS PIR, 808-944-2271.

SUPPLEMENTARY INFORMATION:

Electronic Access

This **Federal Register** document is also accessible via the Internet at the web site of the Office of the Federal Register: www.gpoaccess.gov/fr/index.html.

Background

The bottomfish fishery that operates in Federal waters around Guam is managed under the Fishery Management Plan for the Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region (FMP). Aside from restrictions on the use of certain destructive fishing methods, such as bottom trawling, bottom set nets, poisons, and explosives, that apply to the bottomfish fisheries throughout the western Pacific, the fishery is mostly

unregulated at this time. Potential developments in the fishery, however, led the Western Pacific Fishery Management Council to recommend the management measures in this final rule.

The Guam-based bottomfish fishery is a mix of subsistence, recreational, and limited commercial fishing from primarily small boats on nearshore slopes. There is a potential component of the fishery, however, in which fishermen in relatively large vessels (i.e., greater than 50 ft or 15.2 m in length) target deep-slope fish species, particularly onaga (longtail red snapper, or flame snapper, *Etelis coruscans*). This fishery is currently inactive, but several vessels have operated in the past. The fish were caught on offshore banks in Federal waters, landed at Guam's commercial port and, rather than entering the local market, were exported by air to foreign markets. The activity occurred on some or all of Guam's southern banks, including Galvez, 11-Mile, Santa Rosa, White Tuna, and Baby Banks. Most of the vessels fishing on these southern banks targeted the shallow-water bottomfish complex, but some targeted the deep-water complex. The banks to the north of Guam, including Rota Bank, and far to the west of Guam, including Bank A, appear not to have been fished.

The potential for renewed large-vessel bottomfish fishing activity prompted concerns about fishery information being inadequate for effective management, about the potential for small-vessel catch rates declining to non-viable levels, about threats to sustained participation by smaller vessels in the fishery, about disruptions to traditional patterns of supply of bottomfish products to the local market, and about localized depletion of bottomfish stocks.

Based on the current FMP reporting and management requirements, existing data collection programs can provide adequate information about Guam's inshore bottomfish fisheries that are conducted by smaller vessels. Thus, this final rule does not establish additional data collection requirements on smaller vessels.

There is no evidence, to date, that the bottomfish stocks around Guam are currently subject to overfishing or are being overfished. Deepwater bottomfish species, however, have life history characteristics (slow growth, relatively low productivity and limited migration ranges) that make local fish stocks sensitive to fishing pressure, and severe local depletion can result in reduced productivity of the stock as a whole.

Closing areas to potential large vessel bottomfish fishing reduces the risk of

local depletion of deepwater bottomfish stocks in those areas. This final rule redirects possible large-vessel bottomfish fishing to areas greater than 50 nm (92.6 km) from Guam, displacing some potential fishing pressure on the nearshore slope and banks to areas that have higher bottomfish abundance and experience lower fishing pressure from smaller boats.

This final rule intends to ensure that adequate information is routinely collected from the large-vessel, export-oriented bottomfish fishery that might take place in Federal waters around Guam, to maintain adequate opportunities for small-scale commercial, recreational, and subsistence bottomfish fishermen in Federal waters around Guam, to provide for sustained community participation by smaller vessels in the Guam bottomfish fishery, to encourage consistent availability of fresh, locally-caught deepwater bottomfish products to Guam consumers, and to reduce the potential risk of local depletion of deepwater bottomfish stocks near Guam.

Additional background information on this final rule may be found in the preamble to the proposed rule published on August 14, 2006 (71 FR 46441), and is not repeated here.

Comments and Responses

On July 24, 2006, NMFS published in the **Federal Register** an announcement on the availability of the subject FMP amendment (71 FR 41770), and on August 14, 2006, NMFS published a notice of the proposed rule (71 FR 46441). The public comment period for both notices ended on September 22, 2006. NMFS received one comment from the public, and responds to this comment, as follows:

Comment 1: The commentor expressed support for the proposed rule out of a concern for the impact of large vessels fishing in the area, and for marine resources.

Response. Comment noted; NMFS is also concerned about the potential for large bottomfish vessels to locally deplete bottomfish stocks. The final rule establishes an area closed to large bottomfish vessels. This measure is intended to prevent overfishing of bottomfish around Guam.

Changes to the Proposed Rule

In this final rule, several minor editorial changes were made to the proposed rule. In the time since the proposed rule for this action was published on August 14, 2006, another final rule, referred to as the "omnibus" rule, was published. The omnibus rule, published on September 12, 2006 (71 FR

53605), made changes under three western Pacific FMPs to the regulatory text in several sections of 50 CFR Part 665. Those changes necessitated minor adjustments in the regulatory text contained in this final rule. Specifically, the instructions for § 665.14(a) were modified in this final rule to include omnibus rule requirements for fishing record forms for the Pacific Remote Island Areas (PRIA). The instructions for § 665.61(a)(1) were modified in this final rule to include omnibus rule requirements for PRIA permits. Finally, the instructions for § 665.62 were modified in this final rule to renumber the new paragraphs to account for omnibus rule prohibitions.

In the proposed rule, the coordinates for the closed area boundary contained several errors. Proposed Point GU-1-A (14°23'43" N., 144°27'36" E.) was incorrectly positioned within EEZ waters around the CNMI, and was moved to coincide with the boundary separating the EEZ waters around Guam from those waters around the CNMI. The new point GU-1-A is located at 14°16' N., 144°17' E. Moving point GU-1-A to coincide with the boundary put it very close to proposed point GU-1-B (14°10' N., 144°11' E.), removing the need for point GU-1-B in defining the closed area. Thus, point GU-1-B was eliminated. Proposed point H (12° 35' N., 144°15' E.) introduced an unintended and unnecessary jog in the boundary, and was removed to straighten the boundary. The final coordinates were renumbered, and they accurately define the area that is approximately 50 nm from Guam's shoreline, and take into account the boundary between Guam and the CNMI.

Other instructions are unchanged from the proposed rule.

Classification

The NOAA Assistant Administrator for Fisheries (AA) determined that this FMP amendment is necessary for the conservation and management of the affected fisheries, and that the amendment is consistent with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and other applicable laws.

NMFS prepared an EA for this FMP amendment, and the AA concluded that there will be no significant impact on the human environment as a result of this rule. NMFS determined that the preferred management alternative has the greatest likelihood of achieving the purpose and need for this Federal action. In addition, all beneficial and adverse impacts of the proposed action have been addressed to reach the

conclusion of no significant impacts. A copy of the EA is available from William L. Robinson (see **ADDRESSES**).

This final rule has been determined to be not significant for purposes of Executive Order 12866.

Consistent with section 604 of the Regulatory Flexibility Act, NMFS prepared a FRFA for Amendment 9, as described below. This FRFA incorporates the initial regulatory flexibility analysis (IRFA) prepared for Amendment 9. The preamble to the proposed rule included a detailed summary of the analyses contained in the IRFA, and that discussion is not repeated in its entirety here.

A statement of the need for, and objectives of, the rule is provided in the preambles to the proposed rule and to this final rule, and is not repeated here. There were no comments received on the IRFA.

The Small Business Administration defines a commercial fishing business as a small entity if annual gross receipts are less than \$4.0 million. All bottomfish vessels impacted by this rulemaking are considered to be small entities under this definition. Therefore, there are no economic impacts resulting from disproportionality between large and small vessels.

Number of Affected Small Entities

This final rule is expected to adversely impact as many as 13 bottomfish vessels of length greater than 50 ft (15.2 m) (large vessels) that have previously operated, but are not currently operating, in Federal waters within 50 nm (92.6 km) of Guam. Alternative 3, which would implement a trip limit on onaga, and alternative 4, which would implement limited access, would impact 100-300 bottom fish vessels operating in Federal waters around Guam, regardless of their size.

Recordkeeping and Reporting Requirements

This final rule would implement permitting, recordkeeping, and reporting requirements for large vessels engaged in the fishery. The costs associated with obtaining permits and keeping and reporting information in logbooks would be minimal. The annual personnel cost for potential respondents is estimated at \$62 per year. This was derived by multiplying the number of hours of burden per year (2.5 hr) times an hourly cost rate of \$25, the estimated range of hourly wage rates for fishermen harvesting bottomfish in the western Pacific. There is no "start up" capital cost for complying with the reporting requirement. The estimated cost to potential respondents, other than

personnel cost, is about \$20 per respondent per year. This cost includes telephone charges and other incidental costs associated with sending the logbook forms to NMFS after each trip.

Minimizing Economic Impacts on Small Entities

NMFS rejected alternatives imposing trip limits for onaga or a limited access system, in addition to the permitting, recordkeeping and reporting requirements for large vessels, because these alternatives would have had economic impacts on all participants in the fishery and were not necessary to meet the objectives of FMP Amendment 9. NMFS instead chose the alternative that would best achieve the objectives of FMP Amendment 9, including the continued economic viability of the small boat fishery, an alternative which focused on large vessel participants. Because data on costs and revenues for large vessels are not available, the economic impacts to the profitability of the 13 vessels that could potentially be impacted by this rulemaking cannot be directly estimated. Implementation of the rule would require the affected vessels to search elsewhere for new bottomfish grounds, or to change gear and enter another fishery. Regardless of their choice, it is likely that these vessels would experience adverse economic impacts in the form of reductions in potential profitability under this final rule. The extent of the impacts would depend on the opportunity costs of each individual vessel relative to the profits previously earned in the bottomfish fishery off of Guam.

Small Entity Compliance Guide

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule, and shall designate such publications as “small entity compliance guides.” The agency shall explain the actions a small entity is required to take to comply with a rule or group of rules. As part of this rulemaking process, a small entity compliance guide was prepared. The guide will be sent to all large vessels that have historic landings in this fishery. In addition, copies of this final rule and guide will be made available by William L. Robinson (see ADDRESSES), and at the following web site: <http://swr.nmfs.noaa.gov/pir/index.htm>.

This final rule contains revisions to collection-of- information requirements

subject to the PRA under OMB control numbers 0648–0214 and 0648–0490. The revisions to these collection-of-information requirements have not yet been approved, but OMB approval is expected in the near future. NMFS will publish a notice when these requirements are cleared by OMB and are, therefore, effective (see DATES). The public reporting burden for these requirements is estimated to be 30 min for a new permit application, and 5 min for completing a fishing logbook each day. It is estimated that up to three vessels may be subject to the reporting requirement at any given time, and that each vessel will fish, on average, no more than 50 days/yr, resulting in a total paperwork burden of approximately 14 hr/yr. These estimates include 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 these burden estimates or any other aspect of this data collection, including suggestions for reducing the burden, to William L. Robinson, NMFS PIR (see ADDRESSES), or by e-mail to David_Rostker@omb.eop.gov, or fax to 202–395–7285.

Notwithstanding any other provision of the law, no person is required to respond to, and no person shall be subject to penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB control number.

List of Subjects in 50 CFR Part 665

Administrative practice and procedure, American Samoa, Fisheries, Fishing, Guam, Hawaii, Hawaiian natives, Northern Mariana Islands, Pacific Remote Island Areas, Reporting and recordkeeping requirements.

Dated: October 27, 2006.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

■ For the reasons set out in the preamble, 50 CFR part 665 is amended as follows:

PART 665—FISHERIES IN THE WESTERN PACIFIC

■ 1. The authority citation for part 665 continues to read as follows:

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

■ 2. In § 665.12, add the definition of “Guam bottomfish permit” and revise the definition of “Large vessel” as follows:

§ 665.12 Definitions.

* * * * *

Guam bottomfish permit means the permit required by § 665.61(a)(4) to use a large vessel to fish for, land, or transship bottomfish management unit species shoreward of the outer boundary of the Guam subarea of the bottomfish fishery management area.

* * * * *

Large vessel means, as used in §§ 665.22, 665.37, 665.38, 665.61, 665.62, and 665.70, any vessel equal to or greater than 50 ft (15.2 m) in length overall.

* * * * *

■ 3. In § 665.13, revise paragraph (f)(1) to read as follows:

§ 665.13 Permits and fees.

* * * * *

(f) *Fees.* (1) PIRO will not charge a fee for a permit issued under subpart D or F of this part, for a Ho’omaluu Zone limited access permit, or for a Guam bottomfish permit issued under § 665.61.

* * * * *

■ 4. In § 665.14, revise paragraph (a) to read as follows:

§ 665.14 Reporting and recordkeeping.

(a) *Fishing record forms.* The operator of any fishing vessel subject to the requirements of §§ 665.21, 665.41, 665.61(a)(4), 665.81, or 665.602 must maintain on board the vessel an accurate and complete record of catch, effort, and other data on report forms provided by the Regional Administrator. All information specified on the forms must be recorded on the forms within 24 hr after the completion of each fishing day. Each form must be signed and dated by the fishing vessel operator. For the fisheries managed under § 665.21, 665.41, 665.61(a)(4), and 665.81, the original logbook form for each day of the fishing trip must be submitted to the Regional Administrator within 72 hr of each landing of MUS, unless the fishing was authorized under a PRIA troll and handline permit, a PRIA crustaceans fishing permit, or a PRIA precious corals fishing permit, in which case the original logbook form for each day of fishing within the PRIA EEZ waters must be submitted to the Regional Administrator within 30 days of each landing of MUS. For fisheries managed under § 665.602, the original logbook form for each day of the fishing trip must be submitted to the Regional Administrator within 30 days of each landing of MUS.

* * * * *

■ 5. In § 665.61, revise paragraph (a)(1) and add paragraph (a)(4) to read as follows:

§ 665.61 Permits.

(a) *Applicability.* (1) The owner of any vessel used to fish for bottomfish management unit species in the Northwestern Hawaiian Islands Subarea, Pacific Remote Island Areas Subarea, or Guam Subarea must have a permit issued under this section and the permit must be registered for use with that vessel.

* * * * *

(4) A fishing vessel of the United States must be registered for use under a Guam bottomfish permit if that vessel is a large vessel and is used to fish for, land, or transship bottomfish management unit species shoreward of the outer boundary of the Guam subarea of the bottomfish fishery management area.

* * * * *

■ 6. In § 665.62, add paragraphs (g), (h), and (i) to read as follows:

§ 665.62 Prohibitions.

* * * * *

(g) Use a large vessel that does not have a valid Guam bottomfish permit

registered for use with that vessel to fish for, land, or transship bottomfish management unit species shoreward of the outer boundary of the Guam subarea of the bottomfish fishery management area in violation of § 665.61(a).

(h) Use a large vessel to fish for bottomfish management unit species within the Guam large vessel bottomfish prohibited area, as defined in § 665.70(b).

(i) Land or transship, shoreward of the outer boundary of the Guam subarea of the bottomfish fishery management area, bottomfish management unit species that were harvested in violation of § 665.62(h).

■ 7. Under subpart E, add a new § 665.70 to read as follows:

§ 665.70 Bottomfish fishery area management.

(a) *Large vessel bottomfish prohibited area.* A large vessel of the United States may not be used to fish for bottomfish management unit species in any large vessel bottomfish prohibited area as defined in paragraph (b) of this section.

(b) *Guam large vessel bottomfish prohibited area (Area GU-1).* The large vessel bottomfish prohibited area around Guam means the waters of the US EEZ surrounding Guam that are

enclosed by straight lines connecting the following coordinates in the order listed:

Point	N. lat.	E. long.
GU-1-A	14° 16'	144° 17'
GU-1-B	13° 50'	143° 52'
GU-1-C	13° 17'	143° 46'
GU-1-D	12° 50'	143° 54'
GU-1-E	12° 30'	144° 14'
GU-1-F	12° 25'	144° 51'
GU-1-G	12° 57'	145° 33'
GU-1-H	13° 12'	145° 43'
GU-1-I	13° 29' 44"	145° 48' 27"
GU-1-A	14° 16'	144° 17'

[FR Doc. E6-18506 Filed 11-1-06; 8:45 am]

BILLING CODE 3510-22-S

Magnuson-Stevens Fishery Conservation and Management Act

Public Law 94-265

As amended through October 11, 1996

SEC. 303. CONTENTS OF FISHERY MANAGEMENT PLANS 16 U.S.C. 1853

95-354, 99-659, 101-627, 104-297

(a) REQUIRED PROVISIONS.--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, shall--

(1) contain the conservation and management measures, applicable to foreign fishing and fishing by vessels of the United States, which are--

(A) necessary and appropriate for the conservation and management of the fishery to prevent overfishing and rebuild overfished stocks, and to protect, restore, and promote the long-term health and stability of the fishery;

(B) described in this subsection or subsection (b), or both; and

(C) consistent with the national standards, the other provisions of this Act, regulations implementing recommendations by international organizations in which the United States participates (including but not limited to closed areas, quotas, and size limits), and any other applicable law;

(2) contain a description of the fishery, including, but not limited to, the number of vessels involved, the type and quantity of fishing gear used, the species of fish involved and their location, the cost likely to be incurred in management, actual and potential revenues from the fishery, any recreational interest in the fishery, and the nature and extent of foreign fishing and Indian treaty fishing rights, if any;

(3) assess and specify the present and probable future condition of, and the maximum sustainable yield and optimum yield from, the fishery, and include a summary of the information utilized in making such specification;

(4) assess and specify--

(A) the capacity and the extent to which fishing vessels of the United States, on an annual basis, will harvest the optimum yield specified under paragraph (3),

(B) the portion of such optimum yield which, on an annual basis, will not be harvested by fishing vessels of the United States and can be made available for foreign fishing, and

(C) the capacity and extent to which United States fish processors, on an annual basis, will process that portion of such optimum yield that will be harvested by fishing vessels of the United States;

(5) specify the pertinent data which shall be submitted to the Secretary with respect to commercial, recreational, and charter fishing in the fishery, including, but not limited to, information regarding the type and quantity of fishing gear used, catch by species in numbers of fish or weight thereof, areas in which fishing was engaged in, time of fishing, number of hauls, and the estimated processing capacity of, and the actual processing capacity utilized by, United States fish processors;

(6) consider and provide for temporary adjustments, after consultation with the Coast Guard and persons utilizing the fishery, regarding access to the fishery for vessels otherwise prevented from harvesting because of weather or other ocean conditions affecting the safe conduct of the fishery; except that the adjustment shall not adversely affect conservation efforts in other fisheries or discriminate among participants in the affected fishery;

(7) describe and identify essential fish habitat for the fishery based on the guidelines established by the Secretary under section 305(b)(1)(A), minimize to the extent practicable adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat;

(8) in the case of a fishery management plan that, after January 1, 1991, is submitted to the Secretary for review under section 304(a) (including any plan for which an amendment is submitted to the Secretary for such review) or is prepared by the Secretary, assess and specify the nature and extent of scientific data which is needed for effective implementation of the plan;

(9) include a fishery impact statement for the plan or amendment (in the case of a plan or amendment thereto submitted to or prepared by the Secretary after October 1, 1990) which shall assess, specify, and describe the likely effects, if any, of the conservation and management measures on--

(A) participants in the fisheries and fishing communities affected by the plan or amendment; and

(B) participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants;

(10) specify objective and measurable criteria for identifying when the fishery to which the plan applies is overfished (with an analysis of how the criteria were determined and the relationship of the criteria to the reproductive potential of stocks of fish in that fishery) and, in the case of a fishery which the Council or the Secretary has determined is approaching an overfished condition or is overfished, contain conservation and management measures to prevent overfishing or end overfishing and rebuild the fishery;

(11) establish a standardized reporting methodology to assess the amount and type of bycatch occurring in the fishery, and include conservation and management measures that, to the extent practicable and in the following priority--

(A) minimize bycatch; and

(B) minimize the mortality of bycatch which cannot be avoided;

(12) assess the type and amount of fish caught and released alive during recreational fishing under catch and release fishery management programs and the mortality of such fish, and include conservation and management measures that, to the extent practicable, minimize mortality and ensure the extended survival of such fish;

(13) include a description of the commercial, recreational, and charter fishing sectors which participate in the fishery and, to the extent practicable, quantify trends in landings of the managed fishery resource by the commercial, recreational, and charter fishing sectors; and

(14) to the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery.

97-453, 99-659, 101-627, 102-251, 104-297

(b) DISCRETIONARY PROVISIONS.--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, may--

(1) require a permit to be obtained from, and fees to be paid to, the Secretary, with respect to--

(A) any fishing vessel of the United States fishing, or wishing to fish, in the exclusive economic zone [or special areas,]* or for anadromous species or Continental Shelf fishery resources beyond such zone [or areas]*;

(B) the operator of any such vessel; or

(C) any United States fish processor who first receives fish that are subject to the plan;

(2) designate zones where, and periods when, fishing shall be limited, or shall not be permitted, or shall be permitted only by specified types of fishing vessels or with specified types and quantities of fishing gear;

(3) establish specified limitations which are necessary and appropriate for the conservation and management of the fishery on the--

(A) catch of fish (based on area, species, size, number, weight, sex, bycatch, total biomass, or other factors);

(B) sale of fish caught during commercial, recreational, or charter fishing, consistent with any applicable Federal and State safety and quality requirements; and

(C) transshipment or transportation of fish or fish products under permits issued pursuant to section 204;

(4) prohibit, limit, condition, or require the use of specified types and quantities of fishing gear, fishing vessels, or equipment for such vessels, including devices which may be required to facilitate enforcement of the provisions of this Act;

(5) incorporate (consistent with the national standards, the other provisions of this Act, and any other applicable law) the relevant fishery conservation and management measures of the coastal States nearest to the fishery;

(6) establish a limited access system for the fishery in order to achieve optimum yield if, in developing such system, the Council and the Secretary take into account--

- (A) present participation in the fishery,
- (B) historical fishing practices in, and dependence on, the fishery,
- (C) the economics of the fishery,
- (D) the capability of fishing vessels used in the fishery to engage in other fisheries,
- (E) the cultural and social framework relevant to the fishery and any affected fishing communities, and
- (F) any other relevant considerations;

(7) require fish processors who first receive fish that are subject to the plan to submit data (other than economic data) which are necessary for the conservation and management of the fishery;

(8) require that one or more observers be carried on board a vessel of the United States engaged in fishing for species that are subject to the plan, for the purpose of collecting data necessary for the conservation and management of the fishery; except that such a vessel shall not be required to carry an observer on board if the facilities of the vessel for the quartering of an observer, or for carrying out observer functions, are so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized;

(9) assess and specify the effect which the conservation and management measures of the plan will have on the stocks of naturally spawning anadromous fish in the region;

(10) include, consistent with the other provisions of this Act, conservation and management measures that provide harvest incentives for participants within each gear group to employ fishing practices that result in lower levels of bycatch or in lower levels of the mortality of bycatch;

(11) reserve a portion of the allowable biological catch of the fishery for use in scientific research; and

(12) prescribe such other measures, requirements, or conditions and restrictions as are determined to be necessary and appropriate for the conservation and management of the fishery.

97-453, 104-297

(c) PROPOSED REGULATIONS.--Proposed regulations which the Council deems necessary or appropriate for the purposes of--

(1) implementing a fishery management plan or plan amendment shall be submitted to the Secretary simultaneously with the plan or amendment under section 304; and

(2) making modifications to regulations implementing a fishery management plan or plan amendment may be submitted to the Secretary at any time after the plan or amendment is approved under section 304.

of publication of the notice of initiation of the requested review. Section 351.213(d)(1) of the Department's regulations regarding review request withdrawals does not specifically reference changed circumstances administrative reviews. In this case, Weyerhaeuser withdrew its request for a changed circumstances review within ninety days of the review being initiated, the time period the Department generally considers reasonable for withdrawing requests for administrative reviews. Therefore, the Department has accepted Weyerhaeuser's withdrawal request in this case as timely.¹

The Department is now rescinding this antidumping duty changed circumstances review. U.S. Customs and Border Protection will continue to suspend entries of subject merchandise at the appropriate cash deposit rate for all entries of certain softwood lumber products from Canada.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This notice is issued and published in accordance with 19 CFR 351.213(d)(4) and section 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: March 23, 2006.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E6-4659 Filed 3-29-06; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Pacific Islands Logbook Family of Forms

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

¹ See *Notice of Rescission of Changed Circumstances Antidumping Duty Administrative Review: Certain Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan*, 67 FR 53777 (August 19, 2002).

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 30, 2006.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

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

SUPPLEMENTARY INFORMATION:

I. Abstract

The National Marine Fishery Services Pacific Islands Region (PIR) manages the U.S. fisheries of the Exclusive Economic Zone (EEZ) in the western Pacific under five fishery management plans (FMPs), prepared by the Western Pacific Fishery Management Council pursuant to the Magnuson-Stevens Fishery Conservation and Management Act. The regulations implementing the FMPs are found at 50 CFR part 660.

The record keeping and reporting requirements at 50 CFR part 660 form the basis for this collection of information. PIR requests information from participants in the fisheries and interested persons. This information, upon receipt, results in an increasingly more efficient and accurate database for the management and monitoring of fisheries of the EEZ in the western Pacific.

II. Method of Collection

Paper submissions, electronic reports, and telephone calls are required from participants. Other methods of submittal include Internet and facsimile transmission of paper forms.

III. Data

OMB Number: 0648-0214.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations; individuals or households.

Estimated Number of Respondents: 207.

Estimated Time Per Response: 5 minutes for catch and effort logbooks; 3

minutes for protected species interaction reports; 5 minutes for pre-trip and post-landing notifications; 4 hours for experimental fishing reports; 5 minutes for sales and transshipment reports; 5 minutes for report on gear left at sea; 4 hours for claim for reimbursement for lost fishing time; 1 hour for request for pelagics area closure exemption; and 1 hour for observer placement meetings.

Estimated Total Annual Burden Hours: 2,483.

Estimated Total Annual Cost to Public: \$1,048.

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 24, 2006.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. E6-4613 Filed 3-29-06; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Basic Requirements for All Marine Mammal Special Exception Permits To Take, Import and Export Marine Mammals, and for Maintaining a Captive Marine Mammal Inventory Under the Marine Mammal Protection Act, the Fur Seal Act, and the Endangered Species Act

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing