

SUPPORTING STATEMENT
ALASKA REGION BERING SEA and ALEUTIAN ISLANDS CRAB
ECONOMIC DATA REPORTS
OMB CONTROL NO.: 0648-0518

INTRODUCTION

In January 2004, the U.S. Congress amended Section 313(j) of [Magnuson-Stevens Act](#) to mandate the Secretary of Commerce (Secretary) to implement the Crab Rationalization Program for the Bering Sea and Aleutian Islands Management Area (BSAI) crab fisheries. The Program allocates BSAI crab resources among harvesters, processors, and coastal communities. The North Pacific Fishery Management Council (Council) prepared, and National Marine Fisheries Service (NMFS) approved, the Fishery Management Plan (FMP) for BSAI King and Tanner Crabs. The FMP establishes criteria for the management of certain aspects of the BSAI crab fisheries by the State of Alaska Department of Fish and Game (ADF&G). The FMP is implemented by regulations at [50 CFR part 680](#).

This action is a request for renewal for this collection-of-information and addresses the economic data report (EDR) provisions of the BSAI Crab Rationalization Program. In addition, the title of the collection is changed from “Crab Economic Data Reports”.

The BSAI Crab Rationalization Program (CR Program) was implemented to both maintain rigorous safeguards on use of fishing privileges for a public resource and to provide safeguards for program constituents. The CR Program components include quota share allocation, processor quota share allocation, individual fishing quota (IFQ) and individual processing quota (IPQ) issuance, quota transfers, use caps, crab harvesting cooperatives, protections for Gulf of Alaska groundfish fisheries, arbitration system, monitoring, economic data collection, and cost recovery fee collection. Several of these components are analyzed in this action. Program details are found at: <http://www.alaskafisheries.noaa.gov/regs/680/default.htm>.

A. JUSTIFICATION

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

The CR Program addresses conservation and management issues associated with the previous crab derby fisheries, reduces bycatch and associated discard mortality, and increases the safety of crab fishermen by ending the race for fish. Section 313(j) of the Magnuson-Stevens Act authorizes a mandatory economic data collection program for the fisheries of the CR Program. The CR Program includes a comprehensive economic data collection program to aid the Council and NMFS in assessing the success of the CR Program and developing amendments necessary to mitigate any unintended consequences.

According to Section 313(j)(1), the data from the economic data report (EDR) will be used “to study the impacts of the CR Program,” to insure that the program will achieve “equity between the harvesting and processing sectors,” and to monitor the “economic stability for harvesters, processors and coastal communities”. The Magnuson-Stevens Act also provides specific guidance on the type of data to be collected, requirements for selecting a collection agent,

verification of data, and treatment and distribution of confidential data that are included in this collection.

Section 313(j)(1) requires the Secretary to collaborate with the Federal Trade Commission (FTC) and Department of Justice (DOJ) to develop economic data for analysis by these agencies. Data from the EDR will directly contribute to this ongoing evaluation of potential anti-trust and anti-competitive practices in the crab industry.

Congress required that an independent third party data collection agent (DCA) administer the collection and dissemination of the EDR data. NMFS selected the Pacific States Marine Fisheries Commission (PSMFC) to be PSMFC. The PSMFC is under contract (through a grant/cooperative agreement) with NMFS to collect, verify, and disseminate data to NMFS, ADF&G, and the Council.

Persons harvesting or processing crab managed under the CR Program were required to submit an historical EDR and an annual EDR to PSMFC, after which PSMFC will furnish verified data with personal identifiers removed to NMFS and other specified agencies.

PSMFC is authorized to obtain the services of an auditor to assist in verification of EDR data. At a minimum, the auditor shall be board certified and be selected based upon ability to perform the services in a timely manner within professional standards.

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.

An Economic Data Report (EDR) containing cost, revenue, ownership, and employment data is collected annually from the harvesting and processing sectors. The data are used to estimate how effort, operating revenues and costs, and labor income are affected for all parties that have participated in the CR Program. Data are also used in an effort to understand changes in the makeup of fishery participants, how fishing and processing is undertaken, and how crew are compensated or employed. Specifically, the data will be used in meeting the Council's stated goal of analyzing changes in resource utilization, excess harvesting and processing capacity, economic returns, variable costs and revenues, economic efficiency, and the stability of harvesters, processors, and coastal communities.

Another use of the EDR data is as a source of information for DOJ and FTC to assess potential antitrust and/or anti-competitive practices relating to the issuance and use of processing quota.

The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information is subjected to quality control measures by the PSMFC and NMFS and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

The EDR data is confidential and is not disseminated to the public. PSMFC disseminates the EDR data to NMFS, ADF&G and the Council staff after removing all personal identifiers such as Social Security Numbers, vessel identification numbers, names, and addresses and telephone numbers. The data are supplanted with a randomized identification number that can be matched

between datasets. The information is used to assist the Council in evaluating and potentially suggesting amendments to the CR Program. EDR data are also made available to the Department of Justice and Federal Trade Commission who utilize EDR data to facilitate their investigations and actions.

An EDR is available in both an historical version and an annual version for each of four categories of participant in the Crab Rationalization fisheries (CR fisheries). These categories are: catcher vessel, catcher/processor, stationary floating crab processor, and shoreside crab processor. The historical EDRs were required only for the first year of the CR Program and are not included in this analysis. The Catcher Vessel Annual EDR, Catcher/Processor Annual EDR, the Stationary Floating Crab Processor Annual EDR, and the Shoreside Processor Annual EDR must be submitted on or before May 1 of each year, beginning with the year 2005.

The following persons must submit an annual EDR:

- ◆ Persons who owned fishing vessels or processing plants that harvested crab or processed crab harvested in the CR fisheries at any time during the calendar year.
- ◆ Persons who were lease holders of fishing vessels or processing plants that participated in the CR fisheries during the calendar year.
- ◆ Definition of "Leaseholder": For the purpose of defining the persons responsible for submitting the EDR, a Leaseholder is a person, other than the owner of the catcher vessel for which the EDR is required, who: was identified as the leaseholder, in a written lease, of the catcher vessel, OR paid expenses of the catcher vessel, OR claimed expenses for the catcher vessel as a business expense on schedule C of his/her Federal Income Tax Return, or on a State Income Tax Return.

The EDR must be submitted to the Pacific States Marine Fisheries Commission (PSMFC)

Ensuring industry compliance with the data reporting requirements of the CR Program is considered an integral component of collecting reliable data and accurate data. To ensure accuracy of the EDR, enforcement staff has access to individual and confidential data in the course of an investigation. It would not be possible to ensure reporting compliance from the firms that are required to provide the data in a timely fashion without these enforcement tools.

a. Historical Catcher Vessel EDR – NO LONGER USED

It was expected that 275 catcher vessels would submit an historical EDR. PSMFC reports that 218 catcher vessels submitted EDR data for 1998 participation, 218 catcher vessels submitted EDR for 2001 participation, and 237 catcher vessels submitted EDR data for 2004.

b. Annual Catcher Vessel (CV) EDR

An Economic Data Report (EDR) is required from any owner or leaseholder of a catcher vessel that harvested crab in specified Bering Sea and Aleutian Islands (BSAI) crab fisheries during the prior calendar year. The annual EDR submission deadline is June 28. 2007 EDRs won't be collected until June of 2008. Postage for submittal of the EDR is paid by PSMFC.

Annual catcher vessel EDR

Certification page

Catcher Vessel Information

Vessel Name and ADF&G Vessel Registration Number
Crab License Limitation Permit Number(s)
USCG Documentation Number
Current Estimated Market Value of Vessel and Equipment (\$)
Replacement Value of Vessel and Equipment (\$)
Name of Crab Harvesting Cooperative (if applicable)

Owner Information

Name of company, partnership, or sole proprietorship
Business Telephone Number and Business FAX Number
Business E-mail address, if available

Leaseholder Information (if applicable)

Name of company, partnership, or sole proprietorship
Business Telephone Number and Business FAX Number
Business E-mail address, if available

Person Completing this Report (check one)

Owner (If name and address are the same name and address provided in the Owner Information block above, do not repeat)

Leaseholder (If name and address are the same name and address provided in the Leaseholder Information block above, do not repeat here)

Designated Representative

Name and Title
Business Telephone Number and Business FAX Number
Business E-mail address (if available)

The participant must select the appropriate statement to describe his or her EDR filing status and provide either the complete EDR or just the certification pages

Buyer/Leaseholder Information (if applicable)

Buyer/Leaseholder Name
Telephone No (include area code)
Business Address
Date of Sale or Lease (day/month/2006)

Signature and date signed

EDR

BSAI Crab Activity Chart

CR Fishery Code
ADF&G Fish Ticket Number
Number of Days Crab Fishing
Number of Days Traveling and Offloading.

Crab Sales, Gross Revenue

Crab harvested, by fishery.
IFQ Type
Pounds Sold
Deadloss
Gross Revenue

BSAI Crab Quota

Catcher Vessel Owner Annual IFQ Allocation
Owner Quota Harvested by this Catcher Vessel
Owner Quota Transferred to Other Vessels

BSAI Crab CDQ and IFQ Lease Costs

Adak WAG IFQ and Community Development Quota (CDQ): Pounds and Total Cost
CPO-IFQ: Pounds and Total Cost
IFQ A: Pounds and Total Cost
IFQ B: Pounds and Total Cost
IFQ C: Pounds, Total Cost, and Number of Crew

Labor Information

Crab Harvesting Labor Costs

Number of Paid Harvest Crew Members (exclude the captain)

Total Labor Payment to Harvest Crew (exclude the captain)

Captain Labor Payment

Labor Payment Details

Indicate by checking the appropriate column whether the following expenses were

Deducted (shared expenses taken off the top of gross revenues)

Directly charged (charged to an individual after the crew share is calculated), or

Not charged to crew when calculating the harvest crew payments in BSAI crab fisheries

Revenue Shares

Indicate what percentage of the net share (total revenues minus the expenses was paid to the owner, crew, and captain for each of the listed CR fisheries

BSAI Crab Crew Licenses

Alaska Commercial Crew license number or

State of Alaska Commercial Fisheries Entry Commission (CFEC) gear operator permit number

Vessel Costs

Costs for BSAI Crab Fishing Only

Insurance Premiums (Hull, Property and Indemnity, and Pollution)

Insurance Deductibles

Crab Pots Purchased for Use in BSAI Crab Fishery, by location

Line and Other Crab Gear Purchases, by location

Bait used in BSAI crab fishery, by type and location

Fuel, Lubrication, and Fluids Used in BSAI Crab Fishery

Food and Provisions for Crew

Other Crew Costs

Freight Costs for Landed Crab

Storage, Wharfage, and Delivery

Observer Costs

Crab Landing Taxes and Fees

Fishing Cooperative Costs

Other Crab-specific Costs

Annual Vessel Costs

Investments in Vessel and Equipment

Repair and Maintenance for Vessel and Equipment

Insurance Premiums (Hull, Property and Indemnity, and Pollution)

Fuel, Lubrication, and Fluids

Other Vessel-specific Costs

Annual Totals for All Fisheries

Calendar year for days at sea

Gross revenue

Pounds retained

Labor costs

It was expected that 275 catcher vessels would submit an annual EDR. PSMFC reports that 166 catcher vessels submitted EDR data for 2005 participation, and 99 catcher vessels submitted EDR data for 2006 participation. 2007 EDRs won't be collected until June of 2008. No responses are indicated for the Federal Government, as the responses go to PSMFC. Federal time burden is changed from 2 hr to 1 hr, because the coordination and data entry are done by PSMFC. The 1 hr shown as Federal Government burden is due to staff comparison of lists from PSMFC of participants who submitted EDRs. This comparison is necessary for issuance of permits. The number of participants used in the analysis is 100.

Annual Catcher Vessel EDR, Respondent	
Number of respondents	100
Total annual responses	100
Frequency of response = 1	
Total burden hours (100 x 7.5 hr)	750 hr
Time per response = 7.5 hr	
Total personnel cost	0
Total miscellaneous costs (75,138.50)	\$75,139
Photocopy (\$0.10 x 15 x 77 = 115.50)	
Online costs (23 x \$1 = 23)	
Postage paid by PSMFC = 0	
Accountant completion of EDR (\$100 x 750 = 75,000)	

Annual Catcher Vessel EDR, Federal Government	
Number of responses	0
Total burden hours	1 hr
Time per response = 1 hr	
Total personnel costs (\$50 x 1)	\$50
Total miscellaneous costs	0

c. Historical Catcher/Processor (C/P) EDR – NO LONGER USED

It was expected that 12 catcher/processors would submit an historical EDR. PSMFC reports that 8 catcher/processors submitted EDR data for 1998 participation, 7 catcher/processors submitted EDR data for 2001 participation, and 10 catcher/processors submitted EDR data for 2004.

d. Annual Catcher/Processor EDR

An Economic Data Report (EDR) is required from any owner or leaseholder of a catcher/processor that harvested or processed crab in specified Bering Sea and Aleutian Islands (BSAI) crab fisheries during the prior calendar year. The annual EDR submission deadline is June 28. Postage for submittal of the EDR is paid by PSMFC.

Certification page

Catcher/processor Information

Catcher/processor Name and ADF&G Processor Code
Registered Crab Receiver Permit Number
Crab License Limitation Permit Number(s)
USCG Documentation Number
Current Estimated Market Value of Vessel and Equipment (\$)
Replacement Value of Vessel and Equipment (\$)
Name of Crab Harvesting Cooperative (if applicable)

Owner Information

Name of company, partnership, or sole proprietorship
Business Telephone Number and Business FAX Number
Business E-mail address, if available

Leaseholder Information (if applicable)

Name of company, partnership, or sole proprietorship
Business Telephone Number and Business FAX Number
Business E-mail address, if available

Person Completing this Report (check one)

Owner (If name and address are the same name and address provided in the Owner Information block above, do not repeat)
Leaseholder (If name and address are the same name and address provided in the Leaseholder Information block above, do not repeat here)
Designated Representative

Name and Title
Business Telephone Number and Business FAX Number
Business E-mail address (if available)
The participant must select the appropriate statement to describe his or her EDR filing status
and provide either the complete EDR or just the certification pages
Buyer/Leaseholder Information (if applicable)
Buyer/Leaseholder Name
Telephone No (include area code)
Business Address
Date of Sale or Lease (day/month/2006)
Signature and date signed

EDR

Harvesting and Processing Information

BSAI Crab Activity Chart
Dates Covered
Number of Days Crab Fishing
Number of Days Traveling and Offloading
Number of Days Crab Processing
BSAI Crab Production
Raw Crab Pounds
Product Code
Process Code
Crab Size
Crab Grade
Box Size
Finished Pounds
Custom Processed (Yes or No)

BSAI Crab Sales and Processing

Annual BSAI Crab Sales
Species Code
Product Code
Process Code
Crab Size
Crab Grade
Box Size
Finished Pounds
FOB Alaska/Seattle Revenues
Custom Processing Services Provided
CR fishery code
Product Code
Process Code
Custom Processing Revenue

BSAI Crab Quota

Catcher/Processor Owner Annual IFQ Allocation
Owner Quota Harvested or Processed by this Catcher/Processor
CPO – IFQ Harvested
IFQ A Harvested
IFQ B Harvested
Owner Quota Transferred to other Vessels
CPO – IFQ Transferred
Revenue
IFQ A Transferred Pounds
Revenue
IFQ B Transferred Pounds
Revenue
BSAI Crab CDQ and IFQ Lease Costs
Adak WAG IFQ and Community Development Quota (CDQ): Pounds and Total Cost
CPO-IFQ: Pounds and Total Cost

IFQ A: Pounds and Total Cost
IFQ B: Pounds and Total Cost
IFQ C: Pounds, Total Cost and Number of Crew

Labor Information

Crab Harvesting Labor Costs

Number of Paid Harvest Crew Members (exclude the captain)
Total Labor Payment to Harvest Crew (exclude the captain)
Captain Labor Payment

Crab Processing Labor Costs

Number of Crew with Pay Determined by Processing Work
Average Number of Crab Processing Positions
Total Processing Labor Payment

Harvest Labor Payment Details

Indicate whether the following expenses were
Deducted (shared expenses taken off the top of gross revenues)
Directly charged (charged to an individual after the crew share is calculated), or
Not charged to crew

BSAI Harvest Crew Licenses/Permits

Alaska Commercial Crew license number or
State of Alaska Commercial Fisheries Entry Commission (CFEC) gear operator permit number

BSAI Crab Processing Employee Residence

City, state, or country of residence
Number of employees that are from each residential location

BSAI Crab Custom Processing Done for You

Raw Pounds Supplied to Custom Processors
Product Code
Process Code
Crab Size
Crab Grade
Box Size
Finished Pounds
Processing Fee

Raw Crab Purchases from Delivering Vessels

Crab Size
Crab Grade
Raw Pounds Purchased
Gross Payment

Vessel Costs

Costs for BSAI Crab Production Only

Insurance Premiums (Hull, Property and Indemnity, and Pollution)
Insurance Deductibles
Crab Pots Purchased for Use in BSAI Crab Fishery, by location
Bait used in BSAI crab fishery, by type and location
Fuel, Lubrication, and Fluids Used in BSAI Crab Fishery, by location
Food and Provisions for Crew
Other Crew Costs
Processing and Packaging Materials, Equipment, and Supplies
Re-packing Costs
Broker Fees and Promotions for BSAI Crab Sales
Crab Landing and Sales Taxes and Fees
Storage, Wharfage, and Delivery
Observer Costs
Freight and Handling Costs for Processed Crab Products from the Vessel
Product Storage
Fishing Cooperative Costs
Other Crab-specific Costs

Annual Vessel Costs

Investments in Vessel and Equipment
Repair and Maintenance (R&M) for Vessel and Equipment

Number of Employees and Salaries for Foremen, Managers and other Employees
 Insurance Premiums (Hull, Property and Indemnity, and Pollution)
 Fuel, Lubrication, and Fluids
 Other Vessel-specific Costs

Annual Totals for All Fisheries

Total sum for the calendar year for all fishing and processing activities
 Processing days
 Days at sea
 FOB revenues
 Finished pounds processed
 Pounds retained
 Labor costs

It was expected that 12 catcher/processors would submit an annual EDR. PSMFC reports that 8 catcher/processors submitted EDR data for 2005 participation, and 7 catcher/processors submitted EDR data for 2006 participation. 2007 EDRs won't be collected until June of 2008. No responses are indicated for the Federal Government, as the responses go to PSMFC. Federal time burden is changed from 4 hr to 1 hr, because the coordination and data entry are done by PSMFC. The 1 hr shown as Federal Government burden is due to staff comparison of lists from PSMFC of participants who submitted EDRs. This comparison is necessary for issuance of permits. The number of participants used in the analysis is 10.

Annual Catcher/Processor EDR, Respondent	
Number of respondents	10
Total annual responses	10
Frequency of response = 1	
Total burden hours (10 x 12.5 hr)	125 hr
Time per response = 12.5 hr	
Total personnel cost	0
Total miscellaneous costs	\$12,515
Photocopy \$0.1 x 15 x 10 = 15)	
Postage paid by PSMFC	
Accountant fee to complete EDR (\$100 x 12500)	

Annual Catcher/Processor EDR, Federal Government	
Number of responses	0
Total burden hours	1 hr
Time per response = 1 hr	
Total personnel cost (\$50 x 1)	\$50
Total miscellaneous costs	0

e. Historical Stationary Floating Crab Processor EDR—NO LONGER USED

It was expected that 4 stationary floating crab processors (SFCP) would submit an historical EDR. PSMFC reports that 12 SFCP submitted EDR data for 1998 participation, 6 SFCP submitted EDR data for 2001 participation, and 6 SFCP submitted EDR data for 2004.

f. Annual Stationary Floating Crab Processor (SFCP) EDR

An Economic Data Report (EDR) is required from any owner or leaseholder of a stationary floating crab processor that processed crab in specified Bering Sea and Aleutian Islands (BSAI) crab fisheries during the prior calendar year. The annual EDR submission deadline is June 28. Postage for submittal of the EDR is paid by PSMFC.

Certification page

Stationary floating crab processor Information

SFCP Name and ADF&G Processor Code
Registered Crab Receiver Permit Number
USCG Documentation Number
Current Estimated Market Value of SFCP and Equipment (\$)
Replacement Value of SFCP and Equipment (\$)

Owner Information

Name of company, partnership, or sole proprietorship
Business Telephone Number and Business Fax Number
Business E-mail address, if available

Leaseholder Information (if applicable)

Name of company, partnership, or sole proprietorship
Business Telephone Number and Business Fax Number
Business E-mail address, if available

Person Completing this Report (check one)

Owner (If name and address are the same name and address provided in the Owner Information block above, do not repeat)
Leaseholder (If name and address are the same name and address provided in the Leaseholder Information block above, do not repeat)
Designated Representative
Name and Title
Business Telephone Number and Business Fax Number
Business E-mail address (if available)
The participant must select the appropriate statement to describe his or her EDR filing status and provide either the complete EDR or just the certification pages

Signature and date signed

EDR

BSAI Crab Processing Activity

BSAI Crab Activity Chart
Number of Crab Processing Days
Dates Covered
Raw Crab Pounds Purchased
Product Code
Process Code
Crab Size
Crab Grade
Box Size
Finished Pounds
Custom Processed (Yes or No)

BSAI Crab Sales and Processing

Annual BSAI Crab Sales
Species Code
Product Code
Process Code
Crab Size
Crab Grade
Box Size
Finished Pounds
FOB Alaska/Seattle Revenues

Custom Processing Services Provided

CR fishery code
Product Code
Process Code
Custom Processing Revenue

Labor Information

Crab Processing Labor Costs
Average Number of Crab Processing Positions
Total Man-Hours
Total Processing Labor Payment
BSAI Crab Processing Employee Residence
City, state, or country of residence
Number of employees that are from each residential location

BSAI Crab Custom Processing Done for You

Raw Pounds Supplied to Custom Processors
Product Code
Process Code
Crab Size
Crab Grade
Box Size
Finished Pounds
Processing Fee

Raw Crab Purchases from Delivering Vessels

IFQ Type
Crab Size
Crab Grade
Raw Pounds Purchased
Gross Payment

Vessel Costs

Costs for BSAI Crab Production Only
Fisheries Taxes
Processing and Packaging Materials, Equipment, and Supplies, by Location
Food and Provisions
Other Costs for Direct Crab Labor
Insurance Deductibles
Re-packing Costs
Broker Fees and Promotions for BSAI Crab Sales, by Fishery
Observer Costs, by Fishery
Freight Costs for Supplies to the Plant
Freight and Handling Costs for Processed Crab Products from the Plant
Product Storage
Water, Sewer, and Waste Disposal
Other Crab-specific Costs:
Annual Vessel Costs
Fuel, Electricity, Lubrication and Hydraulic Fluids
Investments in Plant and Equipment, by location
Repair and Maintenance (R&M) for Plant and Equipment, by location
Number of Employees and Salaries for Foremen, Managers and other Employees
Other Vessel-specific Costs

Annual Totals for All Fisheries

Total sum for the calendar year for all relevant fishery participation
Processing days
FOB Alaska/Seattle revenues
Finished pounds processed
Processing Labor costs

It was expected that 4 SFCPs would submit an annual EDR. PSMFC reports that 4 SFCPs submitted EDR data for 2005 participation, and 5 SFCPs submitted EDR data for 2006

participation. 2007 EDR won't be collected until June of 2008. No responses are indicated for the Federal Government, as the responses go to PSMFC. Federal time burden is changed from 4 hr to 1 hr, because the coordination and data entry are done by PSMFC. The 1 hr shown as Federal Government burden is due to staff comparison of lists from PSMFC of participants who submitted EDRs. This comparison is necessary for issuance of permits. The number of participants used in the analysis is 5.

Annual stationary floating crab processor EDR, Respondent	
Number of respondents	5
Total annual responses	5
Frequency of response = 1	
Total burden hours (5 x 10 hr)	50 hr
Time per response = 10 hr	
Total personnel cost	0
Total miscellaneous costs (5007.50)	\$5,008
Photocopy (\$0.1 x 15 x 5 = 7.50)	
Postage paid by PSMFC	
Accountant fee to complete EDR (100 x 50 = 5,000)	

Annual stationary floating crab processor EDR, Federal Government	
Number of responses	0
Total burden hours	1 hr
Time per response = 1 hr	
Total personnel costs (\$50 x 1)	\$50
Total miscellaneous costs	0

g. Historical Shoreside Processor EDR—NO LONGER USED

It was expected that 20 shoreside processors would submit an historical EDR. PSMFC reports that 13 shoreside processors submitted EDR data for 1998 participation, 17 shoreside processors submitted EDR for 2001 participation, and 14 shoreside processors submitted EDR data for 2004.

h. Annual Shoreside Processor EDR

An Economic Data Report (EDR) is required from any owner or leaseholder of a shoreside processor that processed crab in specified Bering Sea and Aleutian Islands (BSAI) crab fisheries during the prior calendar year. The annual EDR submission deadline is June 28. Postage for submittal of the EDR is paid by PSMFC.

Certification page

Shoreside processor Information

- Shoreside Processor Name and ADF&G Processor Code
- Registered Crab Receiver Permit Number
- Physical Location of Land-based Plant (street address, city, state, zip code)
- Borough Assessed Value of Plant and Equipment (\$) and Year Assessed
- Current Estimated Value of Plant and Equipment (\$)

Owner Information

- Name of company, partnership, or sole proprietorship
- Business Telephone Number and Business FAX Number
- Business E-mail address, if available

Leaseholder Information (if applicable)

Name of company, partnership, or sole proprietorship
Business Telephone Number and Business FAX Number
Business E-mail address, if available

Person Completing this Report (check one)

Owner (If name and address are the same name and address provided in the Owner Information block above, do not repeat)
Leaseholder (If name and address are the same name and address provided in the Leaseholder Information block above, do not repeat)
Designated Representative
Name and Title
Business Telephone Number and Business FAX Number
Business E-mail address (if available)

The participant must select the appropriate statement to describe his or her EDR filing status and provide either the complete EDR or just the certification pages

Signature and date signed

EDR

BSAI Crab Processing Activity

Number of Crab Processing Days
Dates Covered
Raw Crab Pounds Purchased
Product Code
Process Code
Crab Size
Crab Grade
Box Size
Finished Pounds
Custom Processed (Yes or No)

BSAI Crab Sales and Processing

Annual BSAI Crab Sales
Species Code
Product Code
Process Code
Crab Size
Crab Grade
Box Size
Finished Pounds
FOB Alaska/Seattle Revenues
Custom Processing Services Provided
CR fishery code
Product Code
Process Code
Custom Processing Revenue

Labor Information

Crab Processing Labor Costs
Average Number of Crab Processing Positions
Total Man-Hours
Total Processing Labor Payment
BSAI Crab Employee Residence
City, state, or country of residence
Number of employees that are from each residential location

BSAI Crab Custom Processing Done for You

Raw Pounds Supplied to Custom Processors
Product Code
Process Code
Crab Size
Crab Grade

- Box Size
- Finished Pounds
- Processing Fee
- Raw Crab Purchases from Delivering Vessels
- IFQ Type
- Crab Size
- Crab Grade
- Raw Pounds Purchased
- Gross Payment
- Plant Costs
- Costs for BSAI Crab Production Only
 - Fisheries Taxes
 - Processing and Packaging Materials, Equipment, and Supplies, by Location
 - Food and Provisions
 - Other Costs for Direct Crab Labor
 - Insurance Deductibles
 - Re-packing Costs
 - Broker Fees and Promotions for BSAI Crab Sales, by Fishery
 - Observer Costs, by Fishery
 - Freight Costs for Supplies to the Plant
 - Freight and Handling Costs for Processed Crab Products from the Plant
 - Product Storage
 - Water, Sewer, and Waste Disposal
 - Other Crab-specific Costs
- Annual Plant Costs
 - Fuel, Electricity, Lubrication and Hydraulic Fluids
 - Investments in Plant and Equipment, by location
 - Repair and Maintenance (R&M) for Plant and Equipment, by location
 - Number of Employees and Salaries for Foremen, Managers and other Employees
 - Other Plant-specific Costs
- Annual Totals for All Fisheries
- Total sum for the calendar year for all relevant fishery participation
 - Processing days
 - FOB Alaska/Seattle revenues
 - Finished pounds processed
 - Processing Labor costs

It was expected that 20 shoreside processors would submit an annual EDR. PSMFC reports that 13 shoreside processors submitted EDR data for 2005 participation, and 16 shoreside processors submitted EDR data for 2006 participation. 2007 EDRs won't be collected until June of 2008. No responses are indicated for the Federal Government, as the responses go to PSMFC. Federal time burden is changed from 2 hr to 1 hr, because the coordination and data entry are done by PSMFC. The 1 hr shown as Federal Government burden is due to staff comparison of lists from PSMFC of participants who submitted EDRs. This comparison is necessary for issuance of permits. The number of participants used in the analysis is 16.

Annual shoreside processor EDR, Respondent	
Number of respondents	16
Total annual responses	16
Frequency of response = 1	
Total burden hours (16 x 10 hr)	160 hr
Time per response = 10 hr	
Total personnel cost	0
Total miscellaneous costs	\$16,024
Photocopy (\$0.1 x 15 x 16 = 24)	
Postage paid by PSMFC	
Accountant fee to complete EDR (100 x 160 = 16,000)	

Annual shoreside processor EDR, Federal Government	
Number of responses	0
Total burden hours	1
Time per response = 1 hr	
Total personnel costs (\$50 x 16)	\$50
Total miscellaneous costs	0

i. Verification of Data.

PSMFC conducts verification of EDR information with the owner or leaseholder. The owner or leaseholder must respond to inquiries by PSMFC within 20 days of the date of issuance of the inquiry. The owner or leaseholder must provide copies of additional data to facilitate verification by PSMFC.

To make sure that each company is consistently and accurately completing the EDR, random audits will be performed by a qualified accountant on some of the EDRs for a subset of the crab fishery participants. This step will ensure that the data can be relied upon to produce accurate and reliable information for the Alaska crab fisheries. The PSMFC auditor may review and request copies of additional data provided by the owner or leaseholder, including but not limited to: previously audited or reviewed financial statements, worksheets, tax returns, invoices, receipts, and other original documents substantiating the data.

Auditors will verify records by comparing specific elements of the report with participant accounting records. To make this activity as efficient and non-intrusive as possible, NMFS suggests that participants:

- ◆ Keep a copy of the completed EDR or certification pages submitted to the Data Collection Agent (DCA). Copy and attach extra sheets as needed.
- ◆ Keep a file that has all of the supporting information used in the preparation of the EDR.
- ◆ Make sure that the EDR agrees to the company's highest level of financial information. For this purpose, the highest level of financial information is defined in order as:
 - Audited financial statements
 - Reviewed financial statements
 - Compiled financial statements
 - Tax returns.
- ◆ Record only whole numbers. Round up dollar figures to the next highest dollar.

Verification of Data, Respondent	
Number of respondents (16+5+10+100)	131
Total annual responses	131
Frequency of response = 1	
Total burden hours (131 x 3 hr)	393
Time per response = 3 hr	
Total personnel cost	0
Total miscellaneous costs	\$41,920
Photocopy (\$15 x 131 = 1965)	
Telephone calls (\$5 x 131 = 655)	
Accountant fee to verify EDR (\$100 x 393 = 39300)	

Verification of Data, Federal Government	
Total burden hours	0
Total personnel costs	0
Total miscellaneous costs	0

Focused Outreach Campaign

Office of Management and Budget (OMB) stipulated that the renewal request for this and two other collections include a "focused outreach campaign" to validate burden estimates and elicit suggestions from the regulated community for reducing the burden. The information collections are: Crab Permits; Crab Economic Data Reports (EDR); and Crab Arbitration. Comments were required to be submitted by November 1, 2007, through the Alaska Region's website at: <http://www.fakr.noaa.gov/sustainablefisheries/crab/rat/pr>.

A postcard was sent to all crab permit holders announcing NMFS' request for comments and indicating the web address for entering comments. In addition, an information bulletin was posted on the NMFS Alaska Region web site soliciting response to the online questionnaire. The information bulletin No. 90 is provided in Appendix A.

The online questionnaire was posted at <http://www.fakr.noaa.gov/sustainablefisheries/crab/rat/pr> and stated:

BSAI Crab Rationalization Program Information Collection Public Comment Period

NMFS invites the public to comment on three of the BSAI Crab Rationalization Program's information collection systems. Comments must be submitted by November 1, 2007, and will be accepted through the following forms. Please click on the form that is most applicable:

- Comment Forms on:
- Crab Permit Applications
- Crab Arbitration
- Crab Economic Data Reports

The agency is seeking comments on (a) whether the three information collection systems are necessary and whether the information has practical utility; (b) the accuracy of the agency's estimates on the burden of collecting the information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of collecting the information from respondents.

For more information, contact Patsy Bearden, NMFS Resource Management Specialist, at 907-586-7008, or email: patsy.bearden@noaa.gov.

Related Information

72 FR 50937, September 5, 2007. Notice of proposed information collection on the Alaska Region BSAI Crab Permits and Crab Economic Data Reports. Comment period through November 5, 2007.

When the public clicked on “Crab Economic Data Reports,” they were transferred to the specific questionnaire which is provided as Appendix B.

NMFS received one public comment through this web site and one public comment to the Federal Register notice for this collection. These comments are provided at question 8 below.

It is anticipated that the information collected will be disseminated in aggregated and non-confidential form to the public or used to support publicly disseminated information about Crab Rationalization. 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 National Oceanic and Atmospheric Administration (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. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

The EDR may be downloaded from our web site at www.alaskafisheries.noaa.gov, printed, and submitted by mail or FAX to Pacific States Marine Fisheries Commission. The catcher vessel EDR is provided online for participants. All other EDRs must be mailed or faxed. Current reasons for having the online data collection for catcher vessels only: The principal reason is the cost-effectiveness of the web version: out of 114 EDR submitted last year, 96 of them were from catcher vessels, five from catcher/ processors(C/P), and 13 from stationary floating or shoreside processors. Furthermore, the built-in error checking and validation capabilities of the online form are much more useful for the catcher vessel (CV) sector than for the processors. C/P and processing plant EDRs are filled out almost exclusively by professional bookkeepers or accountants and are less prone to error, whereas many of the CV EDR forms are completed by proprietors with more propensity for errors. We have found that many of the accountants prefer to use the fillable .pdf version of the EDR form and would be unlikely to use the online form in any case.

NMFS in the future plans to coordinate efforts with PSMFC in the next year or so to create a data entry system that will allow additional applicants to enter EDR data online. The data will go directly into a database. It is anticipated that this type of system will more efficient, timely, and accurate, though as stated above, some may choose to continue with the fillable .pdf version.

4. Describe efforts to identify duplication.

The information collected as part of this information collection pertains almost exclusively to the cost and employment records of harvesters and processors. Such information is not collected within other data collections. Some of the information on production levels we request from processors has been provided within the Commercial Operator’s Annual Report (COAR), but we are attempting to get more precision on the grade, size and quality of the products and to get that information the submitter must also tell us what kind of crab they are producing. One other type

of information that is somewhat duplicative in nature is the revenue data we collect on production and sales. In many cases the data submitted through Alaska Fish Tickets or in the COAR do not include post-seasonal adjustments and thus are not accurate or true records of revenues received. Because of the timing of the EDR survey process we are able to get more correct and complete data after such adjustments have been made.

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

This information collection does require data from fishing operations that are small entities as identified by the Small Business Administration (SBA). The number of respondents that will be small entities at the time the CR Program was initiated is anticipated to decrease dramatically due to the consolidation of BSAI crab operations, the quota awarded, the 25 vessels eliminated in the BSAI crab buyback program, and from the opportunity to form cooperatives. Most of the historical data was collected during the first year of the program as a one-time submission. Small entities continuing to participate in the crab fisheries are required to submit annual EDRs each year. The number of crab harvesting entities that continue to meet SBA criteria for being small entities is anticipated to be greatly minimized over the pre-quota fisheries. In designing the EDRs we had several meetings with vessel owners and operators (the parties who comprise the small entity component of this collection) to discuss the way in which their financial records are kept. The goal of these discussions was to tailor the EDR so that the information requested closely matched the way in which records were kept. We also held meetings with an accountant that would be filling out the EDRs for much of the crab vessels to discuss the way in which she kept their books. Again, this information was used to define various cost and expenditure categories that match the general structure present in much of the fleet. Obviously there is a fair amount of variation in the way financial records are kept, so some extra work will be encountered by some submitters to report costs according to our selected categories, but for the most part these categories are consistent with the majority of the vessels' financial records.

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

The intent of this collection is to study the impacts of the CR Program; to ensure that the program achieves equity between the harvesting and processing sectors; and to monitor the economic stability for harvesters, processors and coastal communities. Without the specified reporting scheme described in this Supporting Statement, the program would be jeopardized. The consequences of not collecting this information would be that NMFS could not fulfill the intent of the law created under Public Law (P.L.) No. 108-199 and would be unable to provide data to the Council and the State of Alaska to evaluate the CR Program for each of the required review periods. P.L. No. 108-199 also requires that each component of the crab program enacted by Congress must be implemented or the whole program must be withdrawn. Thus, disapproval of this data collection program would threaten all components of P.L. No. 108-199.

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

Each EDR is required to be submitted annually. While the collection requires the EDR to typically be submitted within 90 days, requests for verification of data must be responded to within 20 days of a question transmitted by the data collection agent. This may constitute a

special circumstance that is inconsistent with OMB guideline 2: “Must not require respondents to prepare a written response in fewer than thirty days after they receive the request.”

The reason for the 20-day response period is that there may be EDR verification questions that are sequential based on previous questions. It would be difficult to complete verification in a reasonable period of time, if a longer period were allowed. The verification questions are likely to be small in number, and are often addressed with a telephone call or other short communication. The 20-day response period should not place a significant burden on submitters.

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.

A *Federal Register* notice, 72 FR 50937 published September 5, 2007, solicited public comment. One comment was received. In addition, one comment was received in response to Public Outreach.

Comment from Online Questionnaire

This commenter from a catcher vessel stated that “Dividing out capital improvements versus repairs--further divided by location of service was time consuming and that bait itemization by category was also very time consuming” In addition, the commenter said the actual personnel cost is \$200 per hour. The commenter said the number of hours needed to train staff is more than 30 hours.

Additional Comments: “The information gathering process takes many hours and required us to revamp our entire accounting system--making it more cumbersome as well. It required the use of a hired accountant to complete, increasing our costs. The EDR comes out in May, but the data requested occurred over a year prior. Otherwise, the EDR time table is different than the NMFS crab year, making it confusing.”

Comment from *Federal Register* Notice.

This commenter from a shoreside processor expressly disagrees that the crab EDR collection of information is necessary for the proper performance of the functions of the agency, and that the information does not have practical utility. The commenter agrees that the management of our national resources is exceptionally vital for the continued wellbeing of the fisheries and ecosystem, but fails to perceive how the amount that a processor spends on hydraulic fuel, as an example, has any bearing on the management of this resource.

The commenter believes that Table 6.1—Costs for BSAI Crab Production Only and Table 6.2—Annual Plant Costs is particularly invasive and again has no bearing on the management of this resource. The commenter processes several products simultaneously and distinguishing between processing, packaging material, equipment and supplies for crab only is a very tedious and

daunting process. Due to the fact that the processor is a small processing plant the office staff consists of four individuals to handle all the office duties. The office staff has been continually further burdened with the ever increasing reports from various organizations requesting further additional information as well as the burden of collecting the NOAA Crab buyback fees and the Registered Crab Receiver (RCR) rationalization fees from the vessels. The annual EDR report for the Crab fisheries request for information far surpasses the request of any other fishery. The crab fishery is the only fishery that requires an EDR. All other fisheries are contented with no more than the annual COAR report that the processor considers fundamental for the management of these fisheries.

The commenter disagrees with the accuracy of the agency's estimate of the burden of the collection-of-information. The commenter contends that the estimated time per response is in actuality far greater and estimates the time allotment to be 24 hours to complete and submit the report.

NMFS Response to Comments

Currently, NMFS is working on a proposed/final rule to improve the EDRs expected to be in regulations by 2009 (reporting for 2008). After receiving and analyzing the first EDR submittals, NMFS economists determined that certain questions on the EDRs could be simplified and the order of questions could be reorganized, which could reduce the amount of time needed to complete the EDR. The two comments above would be incorporated into these EDR revisions. Some data elements would be disaggregated to clarify ambiguities arising from aggregation methods. The regulations at 50 CFR part 680.6 would be revised to reflect the clarification, simplification, and reorganization of the forms. It is expected that the data obtained through application of these changes would be improved.

Regarding the cost to complete an EDR, NMFS anticipated that most quota holders and owners of vessels and processing plants in this fishery would use accounting staff or accounting contractors for tracking and providing this data. The assumption of an hourly rate of \$100/hour is consistent with accounting supply costs in this region of the U.S.

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

No payment or gift will be provided under this program.

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

The information collected is confidential under section 302(i) of the Magnuson-Stevens Act (16 U.S.C. 1852 et seq.) and under NOAA Administrative Order (AO) 216-100, which sets forth procedures to protect confidentiality of fishery statistics. It was last revised in 1994.

NOAA also follows regulatory procedures for data confidentiality found at 50 CFR Sec. 600.405 et seq. The Magnuson-Stevens Act generally prohibits collection of economic data, particularly from processing entities. In the legislation for the CR Program, an exception was created to the prohibition. NMFS was directed to implement a mandatory economic data program and feed the data to prescribed entities, with or without identifiers, depending on the entity.

NMFS will retain control over the information that is supplied, and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information.

System of Records: Routine Uses

The routine uses were described in the COMMERCE/NOAA System-16; Crab Economic Data Report for Bering Sea/Aleutian Islands Management Area (BSAI) off the coast of Alaska, published in 40 FR 28953-28955

1. In the event that a system of records maintained by the Department to carry out its functions indicates or is relevant to a violation or potential violation of law or contract, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute or contract, or rule, regulation or order issued pursuant thereto, or the necessity to protect an interest of the Department, the relevant records in the system of records, including individual identifiers, may be referred to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute or contract, or rule, regulation or order issued pursuant thereto, or protecting the interest of the Department. That agency may disclose such records in the course of conducting its investigation.
2. A record from this system of records may be disclosed in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures during the course of litigation, such as through discovery or to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed to a Member of Congress submitting a request involving an individual when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed without individual identifiers to a contractor of the Department having need for the information in the performance of the contract, but not operating a system of records within the meaning of 5 U.S.C. 552(a).
5. A record in this system of records may be disclosed with individual identifiers to Department of Justice and the Federal Trade Commission when such records are requested by those agencies for anti-trust analyses or enforcement proceedings.

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

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

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

Estimated total respondents: 131, a decrease from 187. Estimated total responses: 262, a decrease from 291. Estimated total burden: 1,478 hr, a decrease from 5,429. Estimated total personnel costs: \$0, a decrease from \$766,950.

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).

Estimated total miscellaneous costs: \$150,606, an increase from \$3,289.

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

Estimated total burden: 4 hr, a decrease from 1,388. Estimated total personnel costs: \$200, a decrease from \$71,880. Estimated total miscellaneous costs: \$500,000.

A significant cost of administering the EDR is the cost of the contract with the independent third party. In P.L. No. 108-199, section 801, Congress required that the economic data collection be administered by an independent third party under contract to NMFS. The Pacific States Marine Fishery Commission is the independent agent selected by NMFS to disseminate EDR forms, to be the collection point for the EDR, and to verify the accuracy of the data collected from the BSAI crab fishing industry. The estimated cost of this contract is \$500,000 annually.

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

Adjustments were made to numbers of participants based on actual numbers of EDRs submitted to PSMFC and due to the one-time historical EDR submissions having been completed. In addition, in response to comments received, the costs to complete and verify the EDRs are removed from personnel costs and added to miscellaneous costs, because generally an accountant is contracted to perform these tasks.

CRAB EDR RESPONDENTS	No. Respondents		No. Responses		Burden Hours		Personnel Cost (\$)		Misc. Cost (\$)	
	2004	2007	2004	2007	2004	2007	2004	2007	2004	2007
Historical catcher vessel	275	0	275	0	4125	0	412500	0	688	0
Annual catcher vessel	275	100	275	100	2063	750	206250	0	413	75139
Historical catcher/processor	12	0	12	0	300	0	30000	0	18	0
Annual catcher/processor	12	10	12	10	150	125	15000	0	18	12515
Historical SFCP	4	0	4	0	80	0	8000	0	6	0
Annual SFCP	4	5	4	5	40	50	4000	0	6	5008
Historical shoreside processor	20	0	20	0	400	0	40000	0	30	0
Annual shoreside processor	20	16	20	16	200	160	20000	0	30	16024
Verification of data	104	131	104	131	312	393	31200	0	2080	41920
TOTAL	311	131	726	262	7670	1478	766950	0	3289	150606

No statistics are given for the historical EDRs, because these EDRs were submitted on a one-time basis.

Verification of data was applied to all participants instead of a select few, because the number of participants has decreased.

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

NMFS is not required by statute to formally publish results or summaries of the data collected in the EDR for public review. P.L. No. 108-199, section 801 does require three-year and five-year reviews of the economic effects of the crab rationalization program. An 18-month review is required as part of proposed Amendment 18 to the BSAI Crab FMP. As part of these reviews, a number of data reports with aggregated and verified EDR data will be made available to the Council and/or Congress. The analysis is anticipated to include some assessment of the change in the benefits and costs of the BSAI crab resource as well as distributional effects of the implementation of Crab Rationalization. Thus, some data regarding costs and revenues of harvesting and processing crab fisheries are likely to be displayed in aggregate to protect individual data. The specific variables or analytical results likely to be displayed in tables or narrative cannot be identified at this time.

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.

In accordance with OMB requirements, the expiration date for OMB approval is shown on the EDRs.

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

There are no exceptions.

