

**SUPPORTING STATEMENT
ALASKA REGION CATCHER/PROCESSOR OWNER QUOTA SHARES AND
INDIVIDUAL FISHING QUOTA
OMB CONTROL NO. 0648-XXXX**

INTRODUCTION

In January 2004, the U.S. Congress amended Section 313(j) of the [Magnuson-Stevens Act](#) to mandate the Secretary of Commerce (Secretary) to implement the Crab Rationalization Program (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 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 a new collection-of-information for an annual permit application for Converted catcher/processor owner quota shares (CPO QS). This new collection will be integrated into Office of Management and Budget (OMB) Control No. 0648-0514.

A. JUSTIFICATION

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

On July 11, 2006, the President signed the U. S. Coast Guard and Maritime Transportation Act of 2006 (Coast Guard Act) which contained a provision mandating the Secretary to issue processor quota share (PQS) for the Bristol Bay red king crab and the Bering Sea snow crab fisheries to Blue Dutch, limited liability company (LLC), under specific conditions.

On January 12, 2007, the President signed the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA, Public Law 109-479), which added a new requirement in section 122(a) for the Secretary, not later than 90 days after the date of enactment of that Act, to amend the FMP to modify the Program to authorize conversion of catcher vessel owner quota shares (CVO QS) and PQS to CPO QS.

NMFS proposes regulations implementing Amendment 25 to the FMP which would amend the Program. Amendment 25 to the FMP would authorize conversion of CVO QS and PQS to newly created North Region CPO QS.

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.

Amendment 25 to the FMP complies with the MSRA by amending the FMP to include an additional provision to the Program. Amendment 25 authorizes an eligible entity and its commonly owned affiliates to combine North PQS and North CVO QS and exchange these

shares for newly created converted catcher/processor owner quota shares (CPO QS). Allowing entities to convert PQS and CVO QS to CPO QS would allow them to harvest and process crab onboard a catcher/processor. Electing to exercise this provision could reduce each eligible entity's operating costs associated with purchasing crab, processing crab on land or in a stationary floater processor (SFP), and complying with the Program's arbitration system.

Eligible entities would receive one unit of North CPO QS in exchange for one unit of North CVO QS and 0.9 units of North PQS. The amount of converted CPO QS issued to each entity could not exceed 1 million pounds during any calendar year.

According to the NMFS Official Record, three individual entities are eligible for these new provisions. Yardarm Knot, LLC, and its commonly owned affiliates, and Blue Dutch, LLC, and its commonly owned affiliates, would be eligible for the first type of conversion. Trident Seafoods, and its commonly owned affiliates, would be eligible for the second type of conversion. NMFS cannot predict the annual amount of converted CPO QS that would be annually issued because the participants would annually elect to exercise this provision and need not request conversion of all CVO QS and PQS held.

While the statutory language does not specifically define which fisheries are subject to this provision, converted CPO QS would only be created for the snow crab and Bristol Bay red king crab fisheries, because these were the only fisheries for which the eligible entities were initially issued North PQS and North CVO QS.

Annual Application for Crab Converted CPO QS and CPO Individual Fishing Quota (IFQ)

Crab QS is issued by the Regional Administrator to persons who successfully apply for an initial allocation under § 680.40 or receive QS by transfer under § 680.41. To qualify for a crab QS permit, the applicant must be a U.S. Citizen. Converted CPO QS permit is valid until the end of the crab fishing year for which the permit is issued. The application must be submitted with a completed Annual Application for an IFQ/individual processing quota (IPQ) Permit by August 1 of each year.

The application is not complete until NMFS has verified that the applicant has submitted all required Economic Data Reports, and the applicant has paid all outstanding fee obligations.

Annual application for crab converted CPO QS and CPO IFQ

Block A – Applicant information

Name and NMFS Person ID
Permanent business mailing address and temporary business mailing address (optional)
Business telephone number, fax number and e-mail address

Block B – Identification of North Region Bristol Bay Red King Crab (BBR) or Bering Sea Snow Crab (BSS) CVO QS and PQS for Conversion

Only persons affiliated with one or more of the entities below may apply for converted CPO IFQ. Indicate which of the entities, as described in § 680.40(c)(5)(ii) through (c)(5)(iv), with which affiliated:

- Entity A: Yardarm Knot, Inc. and any person who is affiliated with Yardarm Knot, Inc.
- Entity B: Blue Dutch, LLC and any person who is affiliated with Blue Dutch, LLC
- Entity C: Trident Seafoods, Inc. and any person who is affiliated with Trident Seafoods, Inc.

Identify the BBR or BSS North Region QS or PQS for conversion to CPO QS

Fishery
Sector
Region = North
Beginning Serial Number
Ending Serial Number

Block C – Applicant signature

Printed name and signature of applicant and date signed.
If the application is completed by an authorized representative, attach proof of authorization.

Annual application for Crab Converted CPO QS and CPO IFQ, Respondent	
Number of respondents	3
Total annual responses	3
Frequency of response = 1	
Total burden hours (0.5 x 3 = 1.50)	2 hr
Time per response = 0.5 hr	
Total personnel cost (\$25 x 2)	\$50
Total miscellaneous costs (7.42)	\$7
Annual postage (.41 x 2 = .82)	
Annual photocopy (2 x .10 x 3= 0.60)	
Annual fax (\$6 x 1 = 6)	

Annual application for Crab Converted CPO QS and CPO IFQ, Federal Government	
Number of responses	3
Total burden hours (.75)	1 hr
Time per response = (15/60) = 0.25	
Total personnel costs (\$25 x 1)	\$25
Total miscellaneous costs	0

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. 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.

This application may be completed on the computer screen at www.alaskafisheries.noaa.gov by the participant, downloaded, printed, and faxed or submitted by e-mail. NMFS is pursuing an Internet method in the future whereby all of the information will be entered online and submitted directly and automatically into a database.

4. Describe efforts to identify duplication.

None of the information collected as part of this information collection duplicates other collections. This information collection is part of a specialized and technical program that is not like any other.

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

The proposed collection-of-information does not impose an impact on small entities: none of the three potential respondents is a small business.

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

Without the specified scheme, permitting scheme described in this Supporting Statement, NMFS would not be able to comply with the Coast Guard Act and Public Law 109-479.

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

No special circumstances exist.

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.

NMFS Alaska Region will publish a proposed rule, RIN 0648-AV19, requesting comments from the public.

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.

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: 3. Estimated total responses: 3. Estimated total burden: 2 hr.
Estimated total personnel costs: \$50.

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: \$7.

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

Estimated total responses: 3. Estimated total burden: 1 hr. Estimated total personnel costs: \$25.

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

This is a new program.

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

The results of this collection-of-information will not be published.

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

In accordance with OMB requirements, the control number and the expiration date of OMB approval are shown on the application.

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

No exceptions to the certification statement are requested.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.