

SUPPORTING STATEMENT
AMERICAN FISHERIES ACT: VESSEL AND PROCESSOR PERMIT APPLICATIONS
OMB NO. 0648-0393

INTRODUCTION

National Marine Fisheries Service (NMFS) manages the groundfish fisheries in the exclusive economic zone (EEZ) of the Bering Sea and Aleutian Islands (BSAI) Management Area and Gulf of Alaska (GOA) under the fishery management plans (FMP) for groundfish in the respective areas. The North Pacific Fishery Management Council prepared, and NMFS approved, the FMP under the authority of the Magnuson-Stevens Fishery Conservation & Management Act (16 U.S.C. 1801 *et seq.*). Regulations implementing the FMP appear at 50 CFR part 679. On October 21, 1998, the President signed into The American Fisheries Act (AFA), 16 U.S.C. 1851 which imposed major structural changes on the BSAI pollock fishery.

In response to the AFA, NMFS developed a management program for BSAI pollock to include a set of permits for AFA catcher/processors, AFA catcher vessels, AFA inshore processors, and AFA motherships. Beginning January 1, 2000, all vessels and processors wishing to participate in the non-Community Development Quota (CDQ) BSAI pollock fishery are required to have valid AFA permits on board the vessel or at the processing plant. AFA permits are required even for vessels and processors specifically named in the AFA, and are required in addition to any other Federal or State permits. AFA permits also may limit the take of non-pollock groundfish, crab, and prohibited species as governed by AFA "sideboard" provisions.

With the exceptions of the inshore vessel cooperatives, replacement vessel, and inshore vessel contract fishing applications, the AFA permit program had a one-time application deadline of December 1, 2000. All permitted participants in the AFA pollock fishery are already established and are issued with an indefinite expiration date except for the annual inshore cooperative permit, the replacement vessel, and the inshore vessel contract fishing applications (this last requiring an annual application by December 1 of the year prior to the year for which the permit will be in effect). The permanent AFA permit applications are: AFA catcher vessel permit application, AFA catcher/processor permit application, AFA mothership permit application, and AFA inshore processor permit application.

This action is a request for renewal of this collection-of-information.

A. JUSTIFICATION

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

It is necessary for NMFS to collect the information on an inshore catcher vessel cooperative permit application annually to identify the universe of participating vessels and processors prior to the start of each fishing year. This is done in order to assign allocations of pollock total allowable catch (TAC) to eligible groups of vessels that form cooperatives.

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.

a. Application for AFA Permit for Replacement Vessel

In the event of the actual total loss or constructive total loss* of an AFA catcher vessel, AFA mothership, or AFA catcher/processor, the vessel's owner may replace the vessel. A constructive total loss is a partial loss of such significance that the property is beyond economical repair (cost of restoring it exceeds its insured value). The replacement vessel will be eligible in the same manner as the original vessel after submission and approval of an application for an AFA replacement vessel:

BLOCK A - Identification of Lost AFA Qualified Vessel

Vessel name
Alaska Department of Fish and Game (ADF&G) vessel registration number
US Coast Guard (USCG) documentation number
AFA permit number
Gross tons, shaft horsepower, and registered length
Owner name
Owner business mailing address
Owner business telephone number, Fax number, and E-mail address
Indicate the last year in which this vessel harvested or processed pollock in a BSAI directed pollock fishery
Description of how the vessel was lost or destroyed
Attach USCG form 2692 or insurance papers to verify loss

BLOCK B - Identification of Replacement Vessel

Vessel name
ADF&G vessel registration number
USCG documentation number
Federal Fisheries Permit number (if known)
Gross tons, net tons, shaft horsepower
Registered length, length overall (in feet)
Owner(s) name
Owner business mailing address
Owner business telephone number, Fax number, and E-mail address
If vessel was built in the U.S., indicate whether the vessel has ever been rebuilt
 If YES, whether rebuilt in the United States
Attach USCG documentation for this vessel

BLOCK C - Certification of Applicant and Notary

Signature and printed name of owner(s) and date of signature(s)
Signature and notary stamp or seal of notary public
Date notary commission expires

Application for AFA Permit for Replacement Vessel, Respondent	
Total annual respondents	1
Total annual responses	1
Total burden hours	0.5
Time per response = 30/60 = 0.5	
Total personnel cost (0.5 x \$25=\$12.50)	\$13
Personnel cost per hour = \$25	
Total miscellaneous cost (5.63)	\$6
Postage (.43 x 1 = 0.43)	
Photocopy (2 x .10 = 0.20)	
Notary public (5 x 1 = 5)	

Application for AFA Permit for Replacement Vessel, Federal Government	
Total annual responses	1
Total burden hours	1
Estimated time per response = 1 hr	
Total personnel cost	\$25
Personnel cost per hour = \$25	
Total maintenance cost	0

b. Application for AFA Inshore Catcher Vessel Cooperative Permit

Inshore catcher vessel cooperatives wishing to receive an annual allocation of the BSAI inshore Pollock total allowable catch (TAC) must submit an application for an inshore cooperative fishing permit to be received by NMFS by December 1 of the year prior to the year in which the cooperative fishing permit will be in effect. NMFS will issue an AFA inshore cooperative fishing permit upon receipt of a complete application to a cooperative formed pursuant to 15 U.S.C. 521.

This annual information is needed to identify the universe of participating vessels and processors prior to the start of each fishing year. This is done in order to assign allocations of pollock TAC to eligible groups of vessels that form cooperatives.

Application for AFA Inshore Catcher Vessel Cooperative Permit

BLOCK A - Cooperative Contact Information.

- Name of Cooperative
- Name of Co-op representative
- Co-op business mailing address
- Co-op business telephone number, Fax number, and E-mail address

BLOCK B - Designated Cooperative Processor

- Name and physical location of AFA Inshore Processor
- Federal processor permit number

BLOCK C - Cooperative Contract Information -- Indicate that attachments are included

BLOCK D - Vessel Information

- Vessel name as displayed in official documentation.
- ADF&G Vessel Registration Number
- USCG Documentation Number

AFA Permit Number.

BLOCK E - Certification of notary and applicant

Signature and printed name of Co-op representative and date of signature

Signature and notary stamp or seal of notary public

Date commission of notary public expires

AFA Inshore Catcher Vessel Cooperative Permit Application, Respondent	
Total respondents	8
Total annual responses	8
Number of responses per respondent = 1	
Total burden hours	16
Estimated time per response = 2 hr	
Total personnel cost	\$400
Personnel cost per hour = \$25	
Total miscellaneous cost (45.04)	\$45
Postage (.43 x 8 = 3.44)	
Photocopy (2 x .10 x 8 = 1.60)	
Notary public (5 x 8 = 40)	

AFA Inshore Catcher Vessel Cooperative Permit Application, Federal Government	
Total annual responses	8
Total burden hours	8
Estimated time per response = 1 hr	
Total personnel cost	\$200
Personnel cost per hour = \$25	
Total miscellaneous cost	0

c. Contract Fishing by Non-Member Vessels

An AFA inshore cooperative that wishes to contract with a vessel that is a member of another AFA inshore cooperative must submit complete information to NMFS, Alaska Region pursuant to 50 CFR part 679.62. A separate application must be submitted by mail or by fax for each cooperative for which the vessel harvests.

NMFS will notify the parties to the inshore vessel contract that the inshore vessel contract fishing application has been received. However, NMFS will not make any determinations as to the legality of any contract between or among the parties or its compliance with AFA requirements.

This information will assist cooperatives in understanding how their catch is accounted, and also alert NMFS inseason management that some vessels might be reporting with an alternative cooperative identification. The inshore vessel contract fishing application may assume any format, but must contain the following information:

Cooperative name(s). Name(s) of the AFA inshore cooperative wishing to contract with the non-member vessel

Designated representative(s). Names and signatures of the designated representatives for the cooperatives that wish to contract with a non-member vessel and the vessel's home cooperative

Vessel name and AFA permit number of the contracted vessel. This AFA catcher vessel must have an inshore fishing endorsement and be a member of an inshore cooperative

Vessel owner. Name and signature of the owner of the contracted vessel

Harvest schedule. This harvest schedule must show how all catch and any overages by the contracted vessel will be allocated between the contracting cooperative (or cooperatives) and the contract vessel's home cooperative. In the event that multiple cooperatives are contracting with the same non-member vessel, each harvest schedule submitted must clearly specify how all catch and any overages will be allocated among the various cooperatives with which the vessel is contracted as of the date of submission.

Based on applications over the past three years, 35 respondents, as opposed to the previously estimated 2, is a realistic estimate.

Contract Fishing by Non-Member Vessels, Respondent	
Total respondents	35
Total annual responses	35
Number of responses per respondent = 1	
Total burden hours	140
Estimated time per response = 4 hr	
Total personnel cost	\$3500
Personnel cost per hour = \$25	
Total miscellaneous cost (67.75)	\$68
Postage (.43 x 25 = 10.75)	
Fax (\$5 x 10 = 50)	
Photocopy (2 x .10 x 35 = 7)	

Contract Fishing by Non-Member Vessels, Federal Government	
Total annual responses	35
Total burden hours (17.5)	18
Estimated time per response 0.5 hr	
Total personnel cost	\$450
Personnel cost per hour = 25	
Total miscellaneous cost	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 to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all

applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

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

The applications for AFA Inshore Cooperative Permit and AFA Replacement Vessel Permit are available on the NMFS Alaska Region Home Page at <http://alaskafisheries.noaa.gov>. The applications are fillable onscreen and may be printed and submitted by mail, or fax. The AFA Inshore Vessel Contract Fishing Application does not have a form, but requirements are detailed in 50 CFR 679.62; it may be mailed or faxed. Future plans of the NMFS Alaska Region are to allow completion of applications online through the Internet.

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 a significant impact on small entities. The majority of respondents are not small businesses.

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 action is to provide permits for an AFA Program in the BSAI. Without the specified permitting scheme described in this Support Statement, the program would be jeopardized. The consequences of not collecting this information would be that NMFS could not fulfill the intent of the AFA.

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

A Federal Register Notice published on December 17, 2008 (73 FR 76616) solicited public comments. No comments were received.

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

No payment or gift is 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 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1881a, *et seq.*); and also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics. Information regarding confidentiality is given on program forms.

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 collection of information does not ask questions of a sensitive nature.

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

Estimated total unique respondents, 44 up from 11. Estimated total annual responses, 44 up from 11. Estimated total burden, 157 hours up from 29. Estimated total annual personnel costs, \$3,913 up from \$713.

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

Estimated total miscellaneous costs, \$119 up from \$92.

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

Estimated total burden, 27 hours up from 10 hr. Estimated total personnel cost, \$675 up from \$237.

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

The following adjustments are made:

Application for AFA Inshore Catcher Vessel Cooperative Permit

a decrease of 4 hr burden, 16 instead of 20 (reduced estimate in reporting time)

a decrease of \$100 personnel costs, \$400 instead of \$500

AFA Inshore Vessel Contract Fishing Application

an increase of 33 respondents and responses, 35 instead of 2

an increase of 132 hours, 140 instead of 8

an increase of \$3,300 personnel costs, \$3,500 instead of 200

an increase of \$27 miscellaneous costs, \$68 instead of \$47

Total adjustments:

an increase of 33 respondents and responses, 44 instead of 11

an increase of 128 hours, 157 hr instead of 28.5 hr

an increase of \$3,200 personnel costs, \$3,913 instead of \$713

an increase of \$27 miscellaneous costs, \$119 instead of \$92

Note: ROCIS shows a previous cost of \$0, as cost was rounded down when migrating the information collection to the system. The actual increase is \$27 rather than \$119.

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

The information collected 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 Office of Management and Budget (OMB) requirements, the control number and the expiration date of OMB approval are shown on the forms.

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.