

**SUPPORTING STATEMENT
ALASKA REGION PERMIT FAMILY OF FORMS
OMB CONTROL NO. 0648-0206**

INTRODUCTION

Under the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.* (Magnuson-Stevens Act), the Secretary of Commerce (Secretary) is responsible for the conservation and management of marine fishery resources within the Exclusive Economic Zone (EEZ) of the United States through National Oceanic and Atmospheric Administration/National Marine Fisheries Service (NOAA/NMFS). NMFS Alaska Region manages the groundfish fisheries in the EEZ of the Bering Sea and Aleutian Islands Management Area (BSAI) and Gulf of Alaska (GOA) under fishery management plans (FMP) for groundfish in the respective areas by the North Pacific Fishery Management Council (Council). Regulations implementing the FMPs appear at 50 CFR part 679.

This request is for the renewal of an existing collection-of-information.

NMFS Alaska Region created a set of groundfish permits that operators of vessels and managers of processors must have onboard or onsite when fishing for, receiving, buying, or processing groundfish. These permits provide NMFS with a way to monitor participation in groundfish fisheries.

Section 303(b)(1) of the Magnuson-Stevens Act specifically recognizes the need for permit issuance. The requirement of a permit for marine resource users is one of the regulatory steps taken to carry out conservation and management objectives. The issuance of a permit is an essential ingredient in the management of fishery resources needed for identification of the participants and expected activity levels and for regulatory compliance (*e.g.*, withholding of permit issuance pending collection of unpaid penalties).

A. JUSTIFICATION

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

Participation in the groundfish fisheries of the EEZ off the coast of Alaska requires a permit, available upon request to any person who is a United States (U.S.) citizen. Table 2a to 50 CFR part 679 lists the FMP groundfish.

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.

The information requested on the permit applications is used for fisheries management and regulatory compliance by the U.S. Coast Guard (USCG), NMFS Sustainable Fisheries Division, NMFS Restricted Access Management Program, NMFS Observer Program, NMFS' Office for Law Enforcement, and the Council.

The applications may be mailed to:

NMFS, Alaska Region
Restricted Access Management (RAM) Program
P.O. Box 21668
Juneau, AK 99802

Or delivered to:

Federal Building
709 W. 9th Street, Suite 713
Juneau, AK 99801

Or faxed to: 907-586-7354

a. Federal Fisheries Permit (FFP).

The Federal Fisheries Permit (FFP) is a groundfish permit required for vessels which are used to fish for groundfish in the GOA and BSAI. This permit is also required for vessels used to fish for any non-groundfish species and that are required to retain any bycatch of groundfish under 50 CFR Part 679. Non-groundfish species include but are not limited to halibut, crab, salmon, scallops, and herring. FFPs are non-transferable, three-year permits, issued on request and without charge to vessel owners. These permits are authorized at 50 CFR 679.4(b).

If the owner of a vessel plans to participate in the directed fisheries for Pacific cod, pollock, and/or Atka mackerel in the GOA or BSAI with any gear other than jig gear, the FFP must be endorsed for these species by gear type used. Vessels endorsed for these directed fisheries in the EEZ off Alaska are required to have onboard an active Vessel Monitoring System (VMS) while the directed fisheries for which the permit is endorsed are open, regardless of where the vessel is fishing at the time (including Alaska State waters) or what the vessel is targeting.

If ownership of the vessel issued an FFP has changed or in the case of a permit application for a vessel to which an FFP has never been issued, documentation of vessel ownership must be provided with the application.

For United States Coast Guard (USCG) documented vessels, a copy of the USCG Abstract of Title or Certificate of Documentation must be attached.

For undocumented vessels, a copy of the State of Alaska Department of Fish & Game (ADF&G) vessel license or registration must be attached.

Federal fisheries permit (FFP) application

Indicate the type of request: New FFP, FFP Renewal, Amended FFP, or Surrendered FFP
If requesting to renew, amend, or surrender an existing FFP, provide current FFP number

Block A – Owner information

Owner name and NMFS Person ID

Business mailing address, including street or P.O. box, city, state, and zip code;
indicate whether permanent or temporary

Managing company name (if any)

Business telephone number, business fax number, and e-mail address

Block B. Vessel information

Vessel name

Home port (city and state)

ADF&G processor code (if applicable)

Indicate whether this is a vessel of the United States
 USCG documentation number
 ADF&G vessel registration number
 Length overall (ft) and registered length (ft)
 Gross tonnage and net tonnage
 Shaft horsepower

Block C. Permit information

Area of operation.
 Type of vessel operation.
 Gear type (catcher vessel or catcher/processor only)
 GOA Inshore Processing Endorsement (vessels under 125 ft length overall)

Block D. Species Endorsements and Amendments

Indicate requested species endorsements with gear other than jig gear; or
 Remove species endorsement

Block E. Signature

Printed name and signature of applicant and date signed

The numbers of permits is adjusted based on count of actual permits issued. The number of FFPs issued to catcher vessels in 2008 was 1,460 compared with 1,954 issued in 2006; to catcher/processors, 170 compared with 260; to motherships, 34 compared with 86; to tender vessels, 100 compared with 169. The number issued to support vessels remains the same, 25.

Federal Fisheries Permit, respondents	
Total number of respondents	1,789
1,460 catcher vessels;	
170 catcher/processors	
34 motherships	
100 tender vessels	
25 support vessels	
Total number of annualized respondents and responses (1789 /3 = 596.33)	596
Response per participant = 1 every 3 yrs	
Total Time burden (596 x 21 min/60min =208.60)	209 hr
Time per response (21 min)	
Total personnel costs (\$25 x 209)	\$5,225
Cost per hour =\$25	
Total miscellaneous costs (1916.14)	\$1,916
Submit by fax (\$6 x 298=1788)	
Submit by mail (.43 x 298 = 128.14)	

Federal Fisheries Permit, Federal Government	
Total number of responses	596
Total time burden (596 x .75)	447 hr
Time requirement per response (45 min)	
Total personnel cost (\$25 x 447)	\$11,175
Cost per hour =\$25	
Total miscellaneous costs	\$0

b. Federal Processor Permit (FPP) Application

The Federal Processor Permit (FPP) is a groundfish permit required for stationary floating processors (processing vessels that operate solely within Alaska State waters) and for shoreside processors that receive, purchase, and/or process groundfish harvested in the GOA and BSAI. FPPs are non-transferable, three-year permits, issued to owners on request and without charge. Only persons who are U.S. Citizens are authorized to receive or hold a FPP. These permits are authorized at 50 CFR 679.4(f).

Stationary Floating Processor (SFP) Attachment. Attach a copy of the *USCG Abstract of Title* or *Certificate of Documentation* if requesting a new FPP or if ownership of the SFP has changed.

For a SFP, a **GOA inshore processing endorsement** is required in order to process GOA inshore pollock and GOA inshore Pacific cod. An SFP that wishes to receive GOA inshore processing endorsements must complete No. 9 of Block B on the application. An SFP that holds an inshore processing endorsement is prohibited from processing GOA pollock and GOA Pacific cod in more than one single geographic location during a fishing year and is also prohibited from operating as a catcher/processor in the BSAI. Vessels holding the GOA inshore processing endorsement face additional operating restrictions (see 50 CFR 679.7).

Once issued, a GOA inshore processing endorsement cannot be rescinded for the duration of a fishing year. It may be changed for the next fishing year by submitting an application for permit amendment prior to the beginning of that fishing year.

Federal processor permit (FPP) application

Indicate whether applying for permit for shoreside processor or SFP

Indicate type of request: New FPP; FPP Renewal; Amended FPP; Surrendered FPP

If requesting to renew, amend, or surrender an existing FPP, enter FPP number.

Block A. Owner information

Owner name

NMFS Person ID

Permanent business mailing address, including street or box, city, state, and zip code

A temporary business mailing address may also be included

Business telephone number, business fax number, and business e-mail address

Managing company name (if any)

Block B. SFP information.

Name of SFP

Indicate whether this is a vessel of the United States

USCG documentation number

ADF&G vessel registration number

ADF&G processor code

Length overall (ft) and registered length (ft)

Gross tonnage and net tonnage

Shaft horsepower

Home port (city and state)

Indicate if requesting GOA Inshore Processing Endorsement

Block C. Shoreside processor information

Name of shoreside processor

ADF&G processor code

Permanent business mailing address, including P.O. box or street, city, state, and zip code

A temporary business mailing address may also be included

Physical location of plant at which this shoreside processor is operating (no post office boxes)
 Indicate whether this shoreside processor is replacing a previous processor at this facility;
 if YES, name of previous processor
 Indicate whether there are multiple processors using this facility
 Indicate whether the owner named in Block A, above, owns the plant named in Block C
 Business telephone number, business fax number, and business e-mail address

Block D. Applicant signature

Printed name and signature of applicant and date signed

The number of FPPs listed for SFPs for 2008 was 14; for 2007, was 14; for 2006, was 13. This analysis uses 14, an increase of 4 from the last supporting statement. The number of FPPs listed for shoreside processors for 2008 was 119; for 2007, was 112; for 2006, was 100. This analysis uses 119, decreased from 154 from the last supporting statement.

Federal Processor Permit, respondents	
Total number of respondents	133
119 shoreside processors	
14 SFPs	
Total number of annualized respondents and responses (133/3)	44
Number responses per participant=1 every 3 years	
Total time burden for all responses	15 hr
(44 x 21 min/60 min =15.4)	
Time requirement per response (21 min)	
Total personnel cost (\$25 x 15 hr)	\$375
Cost per hour =\$25	
Total miscellaneous cost	\$266
Annual fax (\$6 x 133=798)/3 yr	

Federal Processor Permit, Federal Government	
Total number responses	44
Total time burden for all responses	33 hr
(44 x .75=33)	
Time requirement per permit (45 min = .75 hr)	
Total personnel cost (\$25 x 33 hr)	\$825
Total miscellaneous cost	\$0

c. Exempted Fisheries Permit (EFP).

An Exempted Fisheries Permit (EFP) is issued to allow groundfish fishing activities that would otherwise be prohibited under regulations for groundfish fishing. These permits are issued for limited experimental purposes to support projects that could benefit the groundfish fisheries and the environment and result in gathering information not otherwise available through research or commercial fishing operations. These permits are authorized at 50 CFR 679.6.

Example EFP Projects for 2009 and 2008 are listed below:

- ◆ (74 FR 18550, April 23, 2009) If granted, this EFP would allow three vessels using non-pelagic trawl gear to remove Pacific halibut from a trawl net codend (knot for retention of fish) on the deck, and release those fish back to the water after determining the physical condition of the halibut with the International Pacific Halibut Commission method for predicting halibut mortality. This EFP would allow the applicant to evaluate methods to

improve discard survival of incidentally caught halibut and could assist that sector in reducing halibut mortality in the non-pelagic trawl gear fishery.

- ◆ (74 FR 3992, January 22, 2009) If granted, this EFP would allow the applicant to collect approximately 100 Pacific halibut caught in the non-pelagic trawl gear fishery for flatfish to evaluate the accuracy of two models for predicting delayed mortality of individual trawl caught halibut. The applicant would evaluate methods for projecting survival of released halibut, which could improve NMFS's estimates of halibut mortality in the non-pelagic trawl gear fishery for flatfish and identify techniques for minimizing mortality of this species in trawl fisheries.
- ◆ (73 FR 14226, March 17, 2008) If granted, this EFP would allow the applicant to continue the development and testing of a video-based electronic monitoring (EM) system that is designed to quantify the amount of halibut discarded at sea; to investigate mechanisms for implementing regulations for such a system; and to investigate how EM data can be integrated into the NMFS catch accounting system.
- ◆ (73 FR 13210, March 12, 2008) If granted, this EFP would continue the development and testing of a salmon excluder device for the Bering Sea pollock trawl fishery to improve the performance of the salmon excluder device developed under EFPs in 2004 through 2007 and to validate the performance of this device for pollock trawl gear used in the BSAI. The goal is to develop a device for pollock trawl gear that reduces salmon bycatch without significantly lowering catch rates of pollock

An EFP typically is issued on the basis of a fishing year, and expires at the end of that year unless otherwise provided for under EFP regulations. This expiration requirement is necessary to avoid situations where information obtained from the fishing experiments might not be made available for several years, thereby denying the fishing industry information obtained from the experiment. The process takes 6 to 12 months to issue an EFP, depending on the complexity of the project and Council's meeting schedule. No form exists for this application; required information may be submitted in any format.

The EFP applicant need not be the owner or operator of the vessel(s). The EFP design:

- ◆ must be approved by the Alaska Fisheries Science Center (AFSC) before a permit may be issued and the design should be worked out with the AFSC before submitting an EFP application to NMFS;
- ◆ must be presented at a Council meeting; and
- ◆ must include observers, if required by the Regional Administrator and a description of accommodations and work space for the observer(s).

For each EFP application, NMFS:

- ◆ may write an environmental analysis to determine the impacts of the EFP prior to awarding the permit. This analysis would support the decision making and inform the public of the EFP project.

- ◆ must consult with the Council. This includes filing a *Federal Register* notice announcing receipt of the EFP application and another notice announcing approval of the EFP application, if obtained.
- ◆ will disseminate EFP project information when it becomes available and all information that is obtained through its own investigations. Through the release of information from NMFS and the EFP participants, other interested parties in the fishing industry could make use of information obtained and not duplicate efforts already expended by those who initially received an EFP.

Exempted fisheries permit (EFP) application

Date of the application.

Name of applicant

Permanent mailing address and telephone number of applicant

EFP Project Information

Purpose and goal of the EFP project, including a general description of the arrangements for disposition of all species harvested under the EFP.

Procedural information about the EFP project

(e.g., sampling procedures, the data and samples to be collected, and analysis of the data and samples)

Fishing mortality anticipated. Mortality resulting from exempted fishing is outside of any total acceptable catch specification and is authorized only if overfishing as defined in the GOA and BSAI FMPs would not occur

Amounts of each species to be harvested that are necessary to conduct the experiment

Area and timing of the experiment.

Vessel and gear to be used.

Details for all coordinating parties engaged in the experiment

Vessel Information

Vessel name.

Name, address, and telephone number of owner and master.

USCG documentation, ADF&G license, or vessel registration number.

Home port.

Length of vessel.

Net tonnage.

Gross tonnage.

Signature of the applicant and signatures of all representatives of all principal parties.

The requirements to submit an interim report and a final report are removed because these requirements do not appear in the regulations. Four EFPs were issued in 2008; 1 in 2007; and 2 in 2006. The number 4 will be used in this analysis, compared with 2 used in the last supporting statement. For the individual burden, there is a decrease due to the removal of the reporting requirements, and an increase due to more coordination and development work required to develop a research plan with the Alaska Fisheries Science Center (AFSC). There is a net decrease of 15 hours per response (from 35 to 20), but an overall estimated increase of 10 hr for the EFP, based on the increase in respondents.

Exempted Fishing Permit, Respondent	
Estimated number of respondents	4
Total estimated responses	4
Number of responses per participant=1	
Total time burden (4 x 20 hr)	80 hr
Application for each permit=20 hr	
Total personnel cost (\$25 x 80 hr)	\$2,000
Personnel cost per hour=\$25	
Total miscellaneous cost	\$18
Priority Mail Postage (4.50 x 4)	

Estimated time and cost for the Federal Government is 45 hr and \$2,247 compared with the previous support statement of 18 hr and \$450. Although detailed Council costs were incorrectly included in the summary previously, the current listing is revised to show only NMFS presentations to the Council and its associated advisory councils.

Exempted Fishing Permit, Federal Government	
Estimated total responses	4
Number responses per respondent=1	
Total time burden	45 hr
Review application & resolve questions (10)	
4 hr at GS-12/13	
5 hr at GS-14/15	
1 hr at \$100/hr	
Process application, create EA, issue EFP (33 hr)	
24 hr at GS-12/13	
9 hr at GS-14/15	
Complete report of EFP activity (2 hr)	
1 hr at GS-12/13	
1 hr at GS-14/15	
Total personnel cost	\$2,247
(4 + 24 + 1 GS-12/13) x \$43 = 1247	
(5 + 9 + 1 GS-14/15) x \$60 = 900	
1 hr at \$100 = 100	
Total miscellaneous costs	\$300

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the following 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 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 FFP and FPP applications may be completed onscreen using fillable forms, downloaded, and printed from the NMFS Alaska Region website <http://www.alaskafisheries.noaa.gov>.

The EFP application must be signed and mailed to: Regional Administrator, Attn: Exempted Fisheries Permits, P.O. Box 21668, Juneau, AK 99802

4. Describe efforts to identify duplication.

No duplication exists with other information collections.

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

The collection-of-information does not impose a significant impact on small entities.

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

The permit system is an integral part of the management of groundfish fisheries in the Alaska Region. It would not be possible to carry out the mandates of the Magnuson-Stevens Act and other laws if approval to continue these previously approved collections were to be denied.

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.

Public comment was solicited in a Federal Register Notice (74 FR 14779), published April 1, 2009. 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.

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

As stated on the forms and in the pertinent regulations, the information collected is confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801 *et seq.*); and also under NOAA Administrative Order (AO) 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

All information collected is part of a system of records: NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries.

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: 644, down from 886. Estimated total responses: 644, down from 886. Estimated total burden: 304, down from 378 hr. Estimated total cost: \$7,600 down from \$9,450.

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 cost: \$ 2,200, up from \$1,335.

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

Estimated total burden: 525 down from 682 hr. Estimated total personnel cost: \$14,247, down from \$17,050. Total miscellaneous costs: \$300, down from \$11,707.

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

Adjustments are made in this collection, due in part to differences in numbers of participants, based on current permit counts, and due to revisions to postage rates and fax costs. Program change: the exempted fishery permit burden is decreased from 35 hours to 20 hours per application due to change in procedure.

Federal Fisheries Permit Application

- a decrease of 235 respondents and responses, 596 instead of 831
- a decrease of 82 hr burden, 209 instead of 291
- a decrease of \$2,050 personnel costs, \$5,225 instead of \$7,275
- an increase of \$1,837 miscellaneous costs, \$1,916 instead of \$1,247

Federal Processor Permit Application

- a decrease of 9 respondents, 44 instead of 53
- a decrease of 9 responses, 44 instead of 53
- a decrease of 2 hr burden, 15 instead of 17
- a decrease of \$50 personnel costs, \$375 instead of \$425
- an increase of \$187 miscellaneous costs, \$266 instead of \$79

Exempted Fishery Permit Application

- an increase of 2 respondents and responses, 4 instead of 2
- an increase of 10 hr burden, 80 instead of 70
- an increase of \$250 personnel costs, \$2,000 instead of \$1750
- an increase of \$9 miscellaneous costs, \$18 instead of \$9

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

The information obtained from the applications for FFPs and FPPs are not expected to be published for statistical use. Information resulting from issuance of EFPs will be made available to the public. NMFS anticipates that some of this information will be in the form of statistical data.

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.

NA.

18. Explain each exception to the certification statement.

NA.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.