

**SUPPORTING STATEMENT
ALASKA REGION AMENDMENT 80 PERMITS AND REPORTS
OMB CONTROL NO. 0648-0565**

INTRODUCTION

This action is a renewal of an existing collection of information.

The Secretary of Commerce 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 under the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP). The North Pacific Fishery Management Council (Council) prepared the FMP under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#), 16 U.S.C. 1801 *et seq.* (Magnuson-Stevens Act). Regulations implementing the FMP appear at [50 CFR part 679](#).

Amendment 80 to the FMP permits the formation of harvesting cooperatives in the non-American Fisheries Act (non-AFA) trawl catcher/processor sector. Non-AFA trawl catcher/processors are vessels that have harvested the required amount of Bering Sea and Aleutian Islands Management Area (BSAI) groundfish during the qualifying period and are not listed by name in the AFA as being eligible to participate in the directed pollock target fisheries. The BSAI groundfish species directly affected by Amendment 80 are Atka mackerel, Aleutian Islands Pacific ocean perch, flathead sole, Pacific cod, rock sole, and yellowfin sole. In addition, Amendment 80 modifies the management of Pacific halibut, king crab, and Tanner crab prohibited species catch (PSC) limits.

The objectives of the Amendment 80 Program are as follows:

- ◆ To improve retention and utilization of fishery resources by the non-AFA trawl catcher/processor fleet, by extending the groundfish retention standard to non-AFA trawl catcher/processor vessels of all lengths;
- ◆ Allocate fishery resources among BSAI trawl harvesters in consideration of historic and present harvest patterns, and future harvest needs;
- ◆ Authorize the allocation of groundfish species to harvesting cooperatives and establishing a limited access privilege program for the non-AFA trawl catcher/processors to reduce potential groundfish retention standard compliance costs, encourage fishing practices with lower discard rates, and improve the opportunity for increasing the value of harvested species; and
- ◆ Limit the ability of non-AFA trawl catcher/processors to expand their harvesting capacity into other fisheries, not managed under a limited access privilege program.

Participants in the non-AFA trawl catcher/processor sector have traditionally harvested over 90 percent of each of the allocated BSAI species. One of the primary reasons for the relatively high discard rates of groundfish by non-AFA trawl catcher/processors is the nature of the fisheries in which those vessels participate. The non-AFA trawl catcher/processor sector primarily participates in non-pollock groundfish fisheries. The non-pollock groundfish fisheries are primarily comprised of groups of species that share similar habitat (e.g., flatfish fisheries such as rock sole, flathead sole, and yellowfin sole). Because these species occur together, they are typically harvested together. When a non-AFA trawl catcher/processor retrieves its net, very often multiple species of fish are present. Additionally, non-pollock groundfish fisheries are constrained by catch limits for non-target species, such as halibut, red king crab, Tanner crab (*Chionoecetes bairdi*), and snow crab (*C. opilio*).

Sector allocations and the formation of cooperatives are intended to assist compliance with the groundfish retention standards by allowing participants to focus less on harvest rate maximization and more on optimizing their harvest. This type of management applies retention standards on an aggregate basis to all activities of a cooperative, allowing participants within the cooperative to coordinate fishing and retention practices across the cooperative to meet the retention requirements. This, in turn, could allow a reduction in unwanted incidental catch, improved retention, improved utilization, and improved economic health of the non-AFA trawl catcher/processor sector.

NMFS Alaska Region created a set of permits to manage the Amendment 80 Program; these permits are described in this document. 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

Several pieces of legislation affect various aspects of the Program.

◆ Section 219 of the [Consolidated Appropriations Act of 2005](#) (Public Law No. 108-447; December 8, 2004) referred to as the Capacity Reduction Program (CRP). The elements of the CRP relevant to the Program: legislates who may participate in the non-AFA trawl catcher/processor sector in the BSAI for “non-pollock groundfish fisheries;” and defines the non-pollock groundfish fisheries in the BSAI as “target species of Atka mackerel, flathead sole, Pacific cod, Pacific ocean perch, rock sole, turbot, or yellowfin sole harvested in the BSAI.” Because all of the Amendment 80 species are included in the CRP’s definition of non-pollock groundfish fishery, the CRP’s eligibility requirements for the non-AFA trawl catcher/processor sector apply to the Program’s eligibility criteria for the Amendment 80 sector. Therefore, the Program would incorporate the CRP’s definition of a non-AFA trawl catcher/processor.

◆ Section 416 of the [Coast Guard and Maritime Transportation Act of 2006](#) (Public Law No. 109-241; July 11, 2006) referred to as the Coast Guard Act. The elements of the Coast Guard Act relevant to the Program are the species or species groups allocated to the Western Alaska Community Development Quota (CDQ) Program, the regulation of harvest of these allocations, and the percentage allocations of all of the groundfish species allocated to the CDQ Program, except pollock and sablefish.

◆ The Magnuson-Stevens Act includes amendments relating to Limited Access Privilege Programs (LAPPs), the CDQ Program, and cost recovery and fee collection provisions and other measures applicable to LAPPs. A LAPP involves a federal permit specifying the amount of catch a privilege holder may harvest. Privileges and shares may be revoked, limited, or modified at any time, with no right to compensation. The LAPP must contribute to rebuilding overfished stocks and reducing excess harvest capacity; promote fishing safety, conservation and management, and social and economic benefits.

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

The Capacity Reduction Program (CRP) provided the eligibility criteria for the non-AFA trawl catcher/processor sector. In order to qualify for the non-AFA trawl catcher/processor sector; a person must have a License Limitation Program (LLP) license with trawl and catcher/processor endorsements and must own a non-AFA vessel that caught and processed 150 mt of groundfish with trawl gear between 1997 and 2002. Under the provisions of the Program, non-AFA trawl catcher/processor vessel operators could choose to either:

- ◆ Form a harvesting cooperative that could receive an exclusive annual harvest privilege of specific groundfish species; or
- ◆ Fish in a limited access fishery comprised of fishery participants that choose not to join a cooperative.

Most eligible participants in the non-AFA trawl catcher/processor sector are likely to join a cooperative, since operations in the limited access fishery are likely to be less efficient (and less profitable). Fishery participants that join a cooperative receive an exclusive harvest privilege not subject to harvest by other vessel operators; could consolidate fishing operations on a specific vessel or subset of vessels, thereby reducing monitoring and enforcement and other operational costs; and harvest fish in a more economically efficient and less wasteful manner. To operate as a cooperative, membership must include at least three separate entities and be composed of at least 30 percent of the qualified vessels, including LLP licenses with associated catch history.

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 Amendment 80 Quota Share (QS)

Quota share (QS) is the basis for the annual calculation of the amount of fish that may be harvested or used if that QS is assigned to an Amendment 80 cooperative. Once an Amendment 80 QS permit is assigned to a person, it authorizes that QS holder to fish in the Amendment 80 sector. A person who wishes to receive an Amendment 80 QS permit must submit a timely and complete application for Amendment 80 QS. Once a person receives NMFS approval, an application for Amendment 80 QS is not required to be resubmitted.

An Application for Amendment 80 QS may be submitted to NMFS using any one of the following methods:

By mail: NMFS Alaska Region, Administrator
c/o Restricted Access Management Program
P.O. Box 21668
Juneau, AK 99802-1668

By fax: 907-586-7354

By hand delivery or carrier:
NMFS, Room 713
709 West 9th Street
Juneau, AK 99801

Application forms are available through the Internet on the NMFS Alaska Region Web site at <http://www.fakr.noaa.gov/sustainablefisheries/amds/80/default.htm#apps> or by contacting NMFS at 800-304-4846, Option 2.

A completed application for Amendment 80 QS must be received by NMFS no later than 1700 hours A.I.t. on October 15 of the year prior to the fishing year for which the applicant is applying, or if sent by U.S. mail, postmarked by that time. Applications received or postmarked after the deadline are not eligible to receive an Amendment 80 QS permit for the upcoming fishing year.

Application for A80 Quota Share

Indicate the type of application

Applicant identification

Applicant name and NMFS person ID

Permanent business mailing address

Business telephone number, business fax number, and business e-mail address (if available)

If applicant is a U.S. citizen, enter date of birth

If applicant is a U.S. corporation, partnership, association or other business entity, enter the date of incorporation

If applicant is a successor-in-interest to a deceased individual or to a non-individual no longer in existence, attach evidence of death or dissolution

Agreement with A80 Official Record

Indicate whether you agree with the A80 Official Record Summary, do not agree with the A80 Official Record Summary, or did not receive an A80 Official Record Summary from NMFS

Owner of A80 Vessel

List each Amendment 80 LLP license for which applying for A80 QS A80 vessel originally assigned to each license
 Vessel name
 LLP No., ADF&G No., and USCG No.

Attachment: documentation that the A80 vessel has suffered an actual total loss, total constructive loss, or is permanently ineligible to receive a fishery endorsement under 46 U.S.C. 12108.

Attachment: if the holder of the LLP license is not the same person(s) who owns the A80 vessel, a copy of a written contract held by the applicant that clearly and unambiguously indicates that the owner of the A80 vessel that has suffered an actual total loss, total constructive loss, or is permanently ineligible to receive a fishery endorsement under 46 U.S.C. 12108 has transferred all rights and privileges to use A80 legal landings and any resulting A80 QS or exclusive harvest privilege from that A80 vessel to the person holding the A80 LLP license originally assigned to that A80 vessel.

Applicant certification

Printed name and signature and date signed
 If representative, attach authorization of the cooperative membership agreement or contract

| Application for A80 QS, Respondent | |
|---|----------------|
| Number of respondents | 28 |
| Total annual responses | |
| Responses per respondent = 1 | |
| Total burden hours | 56 |
| Time per response = 2 hr (including recordkeeping burden) | |
| Total personnel cost (\$25/hr) | \$1,400 |
| Total miscellaneous costs (113.96) | \$114 |
| Postage (0.44 x 14 = 6.16) | |
| Fax (\$5 x 14 = 70) | |
| Photocopy cost (0.05 x 27 (7 pp form + 20pp contract)] x 28 = 37.80 | |

| Application for A80 QS, Federal Government | |
|---|--------------|
| Total annual responses | 28 |
| Total burden hours | 14 |
| Time per response = 0.50 | |
| Total personnel cost (\$25/hr) | \$350 |
| Total miscellaneous cost | 0 |

b. Application for Amendment 80 Cooperative and CQ Permit

An Amendment 80 cooperative quota (CQ) permit authorizes a cooperative to participate in the Amendment 80 Program.

NMFS uses the CQ application information

- ◆ to assign CQ quantities to each cooperative prior to the fishing year
- ◆ to determine the Amendment 80 species interim total allowable catch assignments to the Amendment 80 limited access fishery
- ◆ to determine which vessels must be tracked for catch accounting
- ◆ to review ownership and control information for various QS holders to ensure that QS and CQ use caps are not exceeded.

NMFS issues a CQ permit annually to an Amendment 80 cooperative which has submitted a complete and timely CQ application. The cooperative must designate an authorized representative to be responsible for submitting the CQ application on behalf of all the members.

To be considered timely, the application must be received by NMFS no later than 5:00 p.m., Alaska local time, on November 1 of the year prior to fishing under the CQ permit. The application may be submitted to NMFS by mail, fax, or in person.

By mail to: Regional Administrator, NMFS
Restricted Access Management Program (RAM)
P.O. Box 21668,
Juneau, AK 99802-1668

By hand delivery or carrier to:
Federal Building, Room 713
709 West 9th Street
Juneau, AK 99801.

By fax to: 907-586-7354.

Forms are available through the Internet on the NMFS Alaska Region website at http://www.fakr.noaa.gov/ram/amd80/coop_cq_permitapp.pdf or by contacting NMFS at 800-304-4846, Option 2.

Every member of the Amendment 80 cooperative must submit a timely and complete EDR for each Amendment 80 QS permit held by that person during the previous calendar year. The annual EDR submission deadline is June 1.

Application for A80 cooperative and CQ Permit

Cooperative identification.

- Cooperative's legal name
- Type of business entity under which the A80 Cooperative is organized
- State in which the A80 Cooperative is legally registered as a business entity
- Permanent business address
- Business telephone number, business fax number, and e-mail address (if available)
- Printed name of A80 designated representative

Members of the A80 Cooperative (A80 QS Permit Holder and Ownership Documentation)

- Full name and NMFS Person ID of all members
- A80 QS Permit Number(s)
- Names of all persons, to the individual level, holding an ownership interest in the QS Permit
- Percentage ownership each person holds in the A80 QS Permit(s)

Identification of A80 cooperative member vessels and A80 LLP licenses

- Vessel name
- ADF&G vessel registration No. and USCG documentation number
- A80 LLP number

Identification of vessels on which the CQ issued to the A80 Cooperative will be used

- Vessel name
- ADF&G vessel registration No. and USCG documentation number

EDR submittal

Indicate whether the each member submitted a timely and complete EDR for each A80 QS permit

Certification of cooperative authorized representative

- Printed name and signature of Cooperative authorized representative and date signed
- Attach explicit authorization

Attachment

Copy of the cooperative membership agreement or contract

| Application for A80 cooperative and CQ permit, Respondent | |
|--|-------------|
| Number of respondents | 1 |
| Total annual responses | 1 |
| Responses per respondent = 1 | |
| Total burden hours | 2 hr |
| Time per response = 2 hr (including 5 minutes for recordkeeping) | \$50 |
| Total personnel cost (\$25/hr) | \$2 |
| Total miscellaneous costs (1.84) | |
| Postage (0.44 x 1 = 0.44) | |
| Photocopy cost (0.05 x 8pp (form) + 20pp contract = 1.40) | |

| Application for A80 cooperative and CQ permit, Federal Government | |
|--|-------------|
| Total annual responses | 1 |
| Total burden hours | 1 |
| Time per response = 0.50 | |
| Total personnel cost (\$25/hr) | \$25 |
| Total miscellaneous cost | 0 |

c. Application for an Amendment 80 Limited Access Fishery Permit

An Amendment 80 limited access fishery permit is required for an Amendment 80 QS holder to catch, process, and receive Amendment 80 species assigned to the Amendment 80 limited access fishery, or use halibut and crab PSC assigned to the Amendment 80 limited access fishery. An Amendment 80 limited access fishery permit is issued annually to an Amendment 80 QS holder who has submitted a timely and complete:

- ◆ Application for the Amendment 80 limited access fishery (see § 679.91(b)(4)) that is approved by NMFS; and
- ◆ Amendment 80 EDR for all Amendment 80 QS permits held by that person (see § 679.94).

An Amendment 80 EDR is required from any person who held an Amendment 80 QS permit during the previous calendar year. An EDR must be submitted for each Amendment 80 QS permit held by a person. The annual EDR submission deadline is June 1.

An Application for an A80 Limited Access Fishery may be submitted to NMFS by mail, fax, or in person.

By mail to: Regional Administrator, NMFS
 Restricted Access Management Program (RAM)
 P.O. Box 21668,
 Juneau, AK 99802-1668

By hand delivery or carrier to:
 Federal Building, Room 713
 709 West 9th Street
 Juneau, AK 99801.

By fax to: 907-586-7354.

This application must be submitted annually and received by NMFS no later than 1700 hours Alaska local time on November 1 of the year prior to the year for which the applicant wishes to participate in an Amendment 80 fishery; or if sent by U.S. mail, the application must be postmarked by that time.

Forms are available through the Internet on the NMFS Alaska Region website at <http://www.fakr.noaa.gov/ram/amd80/fisheryapp.pdf> or by contacting NMFS at 800-304-4846, Option 2.

Application for an A80 limited access fishery

Applicant identification.

- Applicant's name and NMFS person ID
- Permanent business mailing address
- Business telephone number, business fax number, and business e-mail address (if available)

A80 Vessel identification.

Name, ADF&G vessel registration number, and USCG documentation number of applicant’s vessel

A80 LLP identification

A80 LLP license number(s) held by the applicant

A80 QS permit information

A80 QS permit number(s) held by the applicant

A80 QS ownership documentation.

Names of all persons, to individual level, holding an ownership interest in the A80 QS permit

Percentage ownership each person holds in the A80 QS permit

EDR Submission

Indicate whether the applicant has submitted a timely and complete EDR for each A80 QS permit

Applicant certification.

Applicant printed name, signature, and date signed.

If completed by authorized representative, attach authorization

| Application for an A80 limited access fishery permit, Respondent | |
|---|--------------|
| Number of respondents | 8 |
| Total annual responses | 8 |
| Number responses per respondent = 1/yr | |
| Total burden hours | 16 |
| Time per response = 2 hr (including recordkeeping time) | |
| Total personnel cost (\$25/hr) | \$400 |
| Total miscellaneous costs (22.96) | \$23 |
| Postage (0.44 x 4 = 1.76) | |
| Photocopy cost (0.05 x 3 x 8 = 1.20) | |
| FAX cost (\$5 x 4 = 20) | |

| Application for an A80 limited access fishery permit, Federal Government | |
|---|--------------|
| Total annual responses | 8 |
| Total burden hours | 4 |
| Time per response = 0.50 | |
| Total personnel cost (\$25/hr) | \$100 |
| Total miscellaneous cost | 0 |

d. Application to Transfer Amendment 80 QS

On an annual basis a QS holder may choose either to assign his/her QS to a cooperative with other eligible QS holders, or assign that QS to the Amendment 80 limited access fishery. NMFS approves QS transfers to track ownership and use cap accounting.

Once issued, an Amendment 80 vessel owner assigned QS could transfer (or sell) that QS in one of three ways:

- ◆ Transfer the Amendment 80 vessel and the QS permit assigned to that Amendment 80 vessel to another person eligible to own a U.S. fishing vessel (i.e., document that Amendment 80 vessel under U.S. Department of Transportation, Maritime Administration (MARAD) regulations);

- ◆ Transfer the Amendment 80 QS permit to the LLP license originally issued for that Amendment 80 vessel upon the actual loss, total constructive loss, or permanent ineligibility of an Amendment 80 vessel assigned QS. Clear and unambiguous written documentation must be attached from which NMFS can verify that the Amendment 80 vessel for which that Amendment 80 LLP license was originally assigned is no longer able to be used in the Program due to the actual total loss, constructive total loss, or permanent ineligibility of that vessel.
- ◆ Transfer an Amendment 80 LLP license with QS assigned to it to another person through the existing LLP transfer provisions (see 50 CFR 679.4(k)(7)). All Amendment 80 QS units for all Amendment 80 species on that Amendment 80 QS permit must be transferred in their entirety. An Amendment 80 QS permit assigned to an Amendment 80 LLP license as an endorsement on that LLP license may not be transferred separately from that Amendment 80 LLP license.

An Application to Transfer an Amendment 80 QS permit may be submitted to NMFS by mail, fax, or in person.

By mail to: Regional Administrator, NMFS
 Restricted Access Management Program (RAM)
 P.O. Box 21668,
 Juneau, AK 99802-1668

By hand delivery or carrier to:
 Federal Building, Room 713
 709 West 9th Street
 Juneau, AK 99801.

By fax to: 907-586-7354.

Forms are available through the Internet on the NMFS Alaska Region website at <http://www.fakr.noaa.gov/ram/amd80/transferappqs.pdf> or by contacting NMFS at 800-304-4846, Option 2.

Application to Transfer A80 QS

Indicate the type of transfer being requested
 Indicate the A80 QS permit number to be transferred.

Identification of transferor

Name and NMFS person ID
 Date of incorporation or date of birth
 Permanent business mailing address
 Business telephone number, business fax number, and e-mail address (if available)

Identification of transferee

Name and NMFS person ID
 Date of incorporation or date of birth
 Permanent business mailing address
 Business telephone number, fax number, and e-mail (if available)

Transfers of A80 QS permits to another person

Attachment: If transferring an A80 QS permit to another person, attach abstract of title or USCG documentation which clearly and unambiguously indicates that the A80 QS transferee is named on the abstract of title or USCG documentation as the owner of the A80 vessel to which that A80 QS permit would be assigned

Attachment: original QS Permit(s) being transferred

Identify A80 QS Permit(s) being transferred

Transfers of A80 QS to an A80 LLP license

Attachment: If transferring A80 QS from an A80 QS permit to the A80 LLP license originally assigned to that A80 vessel, provide clear and unambiguous written documentation that can be verified by NMFS that the A80 vessel for which that A80 LLP license was originally issued is no longer able to be used in the A80 Program due to the actual loss, constructive total loss, or permanent ineligibility of that vessel of that vessel to receive a fishery endorsement

Identify A80 LLP license to which the A80 QS Permit is transferring

Identify A80 QS Permit(s) being transferred

Attachment: original QS Permit(s) being transferred

Certification of transferor.

Transferor signature, printed name, and date signed

If representative, attach authorization

Certification of transferee

Transferee signature, printed name, and date signed

If representative, attach authorization

| Application to Transfer A80 QS, Respondent | |
|--|----------------|
| Number of respondents | 25 |
| Total annual responses | 25 |
| Number responses per respondent = 1 | |
| Total burden hours | 50 |
| Time per response = 2 hr (including recordkeeping) | |
| Total personnel cost (\$25/hr) | \$1,250 |
| Total miscellaneous costs (35.05) | \$35 |
| Postage (0.44 x 20 = 8.80) | |
| Photocopy cost (0.05 x 25 = 1.25) | |
| FAX cost (\$5 x 5 = 25) | |

| Application to Transfer A80 QS, Federal Government | |
|---|--------------|
| Total annual responses | 25 |
| Total burden hours (12.5) | 13 |
| Time per response = 0.50 | |
| Total personnel cost (\$25/hr) | \$325 |
| Total miscellaneous cost | 0 |

e. Application for Inter-Cooperative Transfer of Amendment 80 CQ

NMFS will process an application for inter-cooperative transfer of Amendment 80 cooperative quota (CQ) provided that a paper or electronic application is completed by the transferor and transferee, with all applicable fields accurately filled in, and all required additional documentation is attached. In order for an inter-cooperative CQ transfer to be approved, both parties must be already established and recognized by NMFS as a cooperative. NMFS will notify the transferor and transferee once the application has been received and approved. A transfer of CQ is not effective until approved by NMFS.

Amendment 80 cooperatives may transfer CQ during a calendar year with the following restrictions.

- ◆ May only transfer CQ to another Amendment 80 cooperative;
- ◆ May only receive CQ from another Amendment 80 cooperative; and
- ◆ When receiving Amendment 80 species CQ by transfer, must assign that Amendment 80 species CQ to a member(s) of the Amendment 80 cooperative for the purposes of use caps calculation as established under § 679.92(a).

This application cannot be processed or approved unless all parties to the proposed transfer (including the proposed transferor, the proposed transferee, and the receiving Qualifying Member) have met all the requirements and conditions of the Amendment 80 Program. Any person who held an Amendment 80 CQ permit during a calendar year must submit to NMFS an EDR for that calendar year for each Amendment 80 CQ permit held by that person (see § 679.94). The annual EDR submission deadline is June 1.

Application for Inter-Cooperative Transfer of Amendment 80 Cooperative Quota may be submitted to NMFS electronically or non-electronically.

By mail to: NMFS Alaska Region, Administrator
Restricted Access Management (RAM)
P.O. Box 21668
Juneau, AK 99802-1668

By fax to: 907-586-7354

Applications may be faxed to RAM at 907-586-7354; however, permits will not be returned by fax. The original, signed permit must be on board the vessel.

Hand deliver to:
NMFS Alaska Region (RAM)
Federal Building
709 W. 9th Street, Suite 713
Juneau, Alaska 99801

Attachment to an e-mail: RAM.Alaska@noaa.gov

Online to: <http://www.alaskafisheries.noaa.gov>

When using the online submittal method, the respondent must provide a NMFS Person ID and transfer key. These two pieces of information are provided by NMFS after an applicant is approved for participation in the Amendment 80 Program.

Application for Inter-Cooperative Transfer of Amendment 80 CQ

Identification of transferor cooperative

- Name and NMFS Person ID of transferor
- Name of transferor's designated representative
- Permanent business mailing address (and temporary mailing address if appropriate)
- Business telephone number, business fax number, and business e-mail address (if available)
- Indicate whether transferor submitted an EDR, if required to do so under § 679.94

Identification of transferee cooperative

- Name and NMFS Person ID of transferee
- Name of transferee's designated representative
- Permanent business mailing address (and temporary mailing address if appropriate)
- Business telephone number, business fax number, and business e-mail address (if available)
- Indicate whether transferee submitted an EDR, if required to do so under § 679.94

Identification of Amendment 80 CQ to be transferred (leased) to transferor cooperative member(s)

- Amendment 80 Species CQ
 - Type of CQ (Area/Species)
 - Amount (metric tons (mt))
- Amendment 80 PSC CQ
 - Type of PSC (Area/Species)
 - Amount (mt)

Number of QS units

Identification of Amendment 80 transferee cooperative member(s)

- Name and NMFS Person ID of the qualifying member(s) of the receiving Amendment 80 cooperative to whom the CQ pounds being transferred will be attributed
- Species
- Amount of CQ

Certification of transferor

- Transferor's designated representative signature, printed name, and date signed
- Attach representative's authorization

Certification of transferee

- Transferee's designated representative signature, printed name, and date signed
- Attach representative's authorization

Only one cooperative exists in the Amendment 80 Program, and this form has not been used. However, one potential cooperative is added to retain approval of this form if needed.

| Application for Inter-coop CQ Transfer, Respondent | |
|---|---|
| Number of respondents | 1 |
| Total annual responses | 1 |
| Number responses per respondent = 1 | |
| Total burden hours | 2 |
| Time per response = 2 hr (including recordkeeping burden) | |
| Total personnel cost (\$25/hr) | \$50 |
| Total miscellaneous costs (0.10) | \$1 (rounded down to 0 in ROCIS) |
| Attachment to email (0.05 x 1 = 0.05) | |
| Photocopy cost .05 x 1 = .05 | |
| Application for Inter-coop CQ Transfer, Federal Government | |
| Total annual responses | 1 |
| Total burden hours | 1 |
| Time per response = 0.50 | |
| Total personnel cost (\$25/hr) | 25 |
| Total miscellaneous cost | 0 |

f. Amendment 80 Cooperative Report

An Amendment 80 cooperative issued a CQ permit must submit annually to the Regional Administrator an Amendment 80 cooperative report detailing the use of the cooperative’s CQ.

The annual Amendment 80 cooperative report for fishing activities under a CQ permit issued for the prior calendar year must be received by the Regional Administrator not later than 1700 hours, A.l.t. on March 1 of each year.

The cooperative report must be submitted to the Regional Administrator

By an electronic data file in a NMFS-approved format

By fax: 907-586-7557

or by mail: Regional Administrator
 NMFS Alaska Region
 P.O. Box 21668
 Juneau, AK 99802-1668

Amendment 80 cooperative report

The cooperative's actual retained and discarded catch of CQ and GOA sideboard limited fisheries (if applicable) by statistical area and on a vessel-by-vessel basis;

A description of the method used by the cooperative to monitor fisheries in which cooperative vessels participated; and

A description of any actions taken by the cooperative against specific members in response to a member that exceeded the amount of CQ that the member was assigned to catch for the Amendment 80 cooperative.

Based on a comment received from the Amendment 80 cooperative, the time to complete the Amendment 80 cooperative report is changed from 4 hr to 25 hr. This involves 15 hours to draft the report and summarize the data, 7 hours for cooperative member review and comment (7 cooperative members @ 1 hour each), and 3 hours to respond to comments from NMFS on the cooperative report.

In addition, the description of the cooperative report is revised to remove errors. Previously an additional cooperative catch report was described in connection with the cooperative report. This catch report was mistakenly described as combined and integrated into the cooperative report.

| Amendment 80 cooperative report, Respondent | |
|--|--------------|
| Number of respondents | 1 |
| Total annual responses | 1 |
| Number responses per respondent = 1 | |
| Total burden hours | 25 |
| Time per response = 25 hr (including recordkeeping burden) | |
| Total personnel cost (\$25/hr) | \$625 |
| Total miscellaneous costs (1.05) | \$1 |
| Photocopy cost (0.05 x 20 = 1) | |
| Attachment to email (0.05 x 1 = 0.05) | |

| Amendment 80 cooperative report, Federal Government | |
|--|-------------|
| Total annual responses | 1 |
| Total burden hours | 2 hr |
| Time per response = 2 hr | |
| Total personnel cost (\$25/hr) | \$50 |
| Total miscellaneous cost | 0 |

g. Annual Amendment 80 Cooperative Catch Report [REMOVED]

This report is removed. It was incorrectly included in this collection; however, it is not and never has been a requirement.

h. Appeals

An Amendment 80 qualified vessel owner or Amendment 80 LLP license holder who believes that NMFS has incorrectly identified his or her vessel or LLP license as meeting the criteria for a sideboard limitation may make a contrary claim and provide evidence to NMFS.

All claims must be submitted in writing to the RAM Program, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, together with any documentation or evidence supporting the request within 30 days of receiving a denial. If an applicant is notified by an Initial Administrative Determination (IAD) that inconsistent claims made by the applicant on a permit application have been denied, that applicant may appeal that IAD under the provisions described at § 679.43.

| Appeals, Respondent | |
|---|--------------|
| Number of respondents | 1 |
| Total annual responses | 1 |
| Number responses per respondent = 1 | |
| Total burden hours | 4 |
| Time per response = 4 hr (including recordkeeping burden) | |
| Total personnel cost (\$25/hr) | \$100 |
| Total miscellaneous costs (0.64) | \$1 |
| Postage (0.44 x 1 = 0.44) | |
| Photocopy cost (0.05 x 4 pg x 1 = 0.20) | |

| Appeals, Federal Government | |
|------------------------------------|--------------|
| Total annual responses | 1 |
| Total burden hours | 4 |
| Time per response = 4 hr | |
| Total personnel cost (\$50) | \$200 |
| 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. NOAA Fisheries 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 application for inter-cooperative transfer of Amendment 80 cooperative quota may be submitted online at <http://www.alaskafisheries.noaa.gov>. The cooperative report may be submitted as an attachment to email to RAM.Alaska@noaa.gov. Applications are “fillable” on the computer screen by participant at the NMFS Alaska Region Home Page at www.alaskafisheries.noaa.gov, then downloaded, printed, and faxed or mailed to NMFS. Future plans include interactive permit applications completed through the Internet.

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.

There is currently only one Amendment 80 cooperative. Most firms operating vessels in this cooperative are large entities, with annual gross revenues in excess of \$4.0 million. Thus, the cooperative composed of these firms is, itself, a large entity, by definition. 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.

This collection describes a structure to allow the non-AFA trawl catcher/processors to form cooperatives, thus facilitating bycatch reduction and improved utilization. Without the specified permitting 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 laws mentioned earlier.

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

Not Applicable.

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 March 9, 2010 (75 FR 10757) solicited public comments on the information collection. One comment was received from the one Amendment 80 cooperative. The commenter said that the estimated time needed to complete the annual Amendment 80 cooperative report is inaccurate and provided new estimates as follows:

| Task | NMFS Estimated Time (hr) | Coop Recommended Time (hr) |
|---------------------------------------|--------------------------------|---|
| Drafting report and summarizing data | - | 15 |
| Cooperative member review and comment | - | 7 (7 cooperative members @ 1 hr each) |
| Response to comments | - | 3 |
| Total | 4 | 25 |

NMFS' estimate for completion of the cooperative report was originally 4 hr. The cooperative has submitted two coop reports, one for 2009 and one for 2010, and timed the creation of the report. With this experience, NMFS has confidently changed the estimate for this report to match the cooperative's estimate.

The cooperative's comment goes on to state that, in their opinion, most of the information in the annual Amendment 80 cooperative report submitted to NMFS is available to NMFS staff. In fact, the information that Best Use Cooperative staff uses to complete the report is collected from a NMFS website. Therefore, reporting this information back to NMFS is unnecessary.

NMFS believes that construction of the Amendment 80 cooperative report by persons that are most closely tied to that information provides the most efficient and accurate summary of events and information and thus will maintain this requirement.

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.

As stated on the forms and in the regulations, the information collected is confidential under section 303(d) 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 in a system of records: NOAA #19, notice published April 17, 2008.

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.

Not Applicable.

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

Estimated total unique respondents, 38, reduced from 44. Estimated total annual responses, 65, reduced from 1,062. Estimated total annual burden, 155 hr, reduced from 891 hr. Estimated total annual personnel cost, \$3,875, reduced from \$22,175.

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 annual total miscellaneous costs, \$176, reduced from \$2,732.

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

Estimated total annual burden, 39 hr, reduced from 605 hr. Estimated total annual personnel cost, \$1,075, reduced from \$15,325.

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

NMFS makes adjustments in this collection to number of participants and therefore to burden hours and personnel costs. The burden time per response for the Amendment 80 cooperative report is increased, based on a comment by the current cooperative. In addition, a correction is made by removing a catch report which was incorrectly included in this collection.

Application for Amendment 80 Quota Share

A decrease of \$20 miscellaneous cost, \$114 instead of \$134.

Application for Amend 80 Cooperative Quota Permit

a decrease of 43, respondents and responses, 1 instead of 44

a decrease of 86 burden hours, 2 hr instead of 88 hr

a decrease of \$2,150 personnel cost, \$50 instead of \$2,200
a decrease of \$121 miscellaneous cost, \$2 instead of \$123.

Application for an Amendment 80 Limited Access Fishery

a decrease of 36 respondents and responses, 8 instead of 44
a decrease of 72 burden hours, 16 instead of 88
a decrease of 1,800 personnel cost, 400 instead of 220
a decrease of \$100 miscellaneous cost, \$23 instead of \$123.

Application to transfer Amendment 80 QS

an increase of 10 respondents and responses, 25 instead of 15
an increase of 20 hours, 30 instead of 50
an increase of \$500 personnel cost, \$1,250 instead of \$750
a decrease of \$8 miscellaneous cost, \$35 instead of \$43.

Application for inter-cooperative CQ transfer – burden and cost currently for only one cooperative; one potential cooperative is added.

a decrease of 4 respondents and responses, 1 instead of 5
a decrease of 3 burden hours, 2 instead of 5
a decrease of 75 personnel cost, \$50 instead of \$125
a decrease of \$2 miscellaneous cost, \$0 instead of \$2.

Amend 80 Cooperative Catch Report [REMOVED]

a decrease of 44 respondents, 0 instead of 44
a decrease of 880 responses, 0 instead of 880
a decrease of 440 burden hours, 0 hr instead of 440 hr
a decrease of \$11,000 personnel cost, \$0 instead of \$11,000
a decrease of \$2,266 miscellaneous cost, \$0 instead of \$2,266.

Amend 80 Cooperative Report

a decrease of 43, respondents and responses, 1 instead of 44
a decrease of 151 burden hours, 25 hr instead of 176 hr
a decrease of \$3,775 personnel cost, \$625 instead of \$4,400
a decrease of \$38 miscellaneous cost, \$1 instead of \$39.

Appeals

a decrease of 1 respondent and response, 1 instead of 2
a decrease of 4 hours, 4 instead of 8.

Total net adjustments:

A decrease of 6 respondents.

A decrease of 997 responses.

A decrease of 736 hours

A decrease of 18,300 personnel costs

A decrease of \$2,556 miscellaneous costs.

(The decreases due to removal of the cooperative catch report are adjustments, but appear in ROCIS as due to agency discretion, as there is no “adjustment” option to check when removing an information collection).

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.

Not Applicable.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.