

**SUPPORTING STATEMENT
ALEUTIAN ISLANDS POLLOCK FISHERY REQUIREMENTS
OMB CONTROL NO. 0648-0513**

This action requests revision and extension of this information collection.

INTRODUCTION

The Magnuson-Stevens Fishery Conservation and Management Act ([Magnuson-Stevens Act](#)) 16 U.S.C. 1801 *et seq.* authorizes the North Pacific Fishery Management Council to prepare and amend fishery management plans for any fishery in waters under its jurisdiction. National Marine Fisheries Service (NMFS), Alaska Region manages groundfish in the exclusive economic zone off the coast of Alaska under the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Management Area (FMP). Amendment 82 to the FMP established a framework for the management of the Aleutian Islands subarea (AI) directed pollock fishery. The Aleutian Islands pollock fishery was allocated to the Aleut Corporation, Adak, Alaska, for the purpose of economic development in Adak, Alaska. The Aleut Corporation is identified in Pub. L. 108–199 as a business incorporated pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 *et seq.*).

Harvesting vessels and processing entities are nominated by the Aleut Corporation to participate in the fishery and subsequently approved by NMFS. Regulations implementing the FMP appear at 50 CFR part 679.

Due to change in circumstance for the Aleut Corporation, in 2011 and 2012 NMFS reallocated the projected unused amounts of the Aleut Corporation’s pollock directed fishing allowance and the Community Development Quota pollock from the Aleutian Islands subarea to the Bering Sea subarea directed fisheries to provide opportunity for harvest of the 2012 total allowable catch of pollock. For 2012 a new shoreside processor and the Aleut Corporation stated that the directed fishery for AI pollock will be attempted but not guaranteed.

Revisions: “Copy of NMFS Approval to Participants” has been removed as a separate information collection in ROCIS due to its inclusion in the Annual AI Pollock Fishery Letter Information collection in the supporting statement. Also, burden for a second letter identifying changes in approved vessels has been removed.

JUSTIFICATION

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

The Consolidated Appropriations Act of 2004 requires the Aleut Corporation's selection of participants in the AI directed pollock fishery and limits participation to American Fisheries Act (Pub. L. 105–277, Title II of Division C) qualified entities and vessels 60 feet (18.3 m) or less in

length overall with certain endorsements. Harvesting pollock and processing pollock taken in the AI directed pollock fishery is authorized only for those harvesters and processors that are selected by the Aleut Corporation and approved by the NMFS, Alaska Region.

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 applicable NOAA Information Quality Guidelines.

a. Annual AI Pollock Fishery Letter

Harvesting vessels and processing entities are nominated by the Aleut Corporation to participate in the AI pollock fishery. These entities must have all required Federal permits (see OMB Control Nos. 0648-0206 and 0393) to participate in the AI Pollock fishery. Each year and at least 14 days before harvesting pollock in or processing pollock from the AI directed pollock fishery, the Aleut Corporation provides NMFS with the identity of its designated representative. The representative provides NMFS with a list of vessels and processors which the Aleut Corporation has approved for participation in the AI directed pollock fishery for the next fishing year. NMFS reviews the list of participants and either approves or disapproves each participant. NMFS provides to the Aleut Corporation the identity of each approved participant and the date upon which participation in the AI directed pollock fishery may commence.

In previous years, the Aleut Corporation was the receiving shoreside processor at Adak, Alaska. The Aleut Corporation was allocated a certain amount of pollock to be processed at their plant. They could determine which fishing vessels would catch and deliver the fish to them at Adak. Then, adversity struck the Aleut Corp and the Adak facility closed. After a period of time, arrangements were made for another processor to inhabit the Adak facility to receive deliveries of the pollock on behalf of the Aleut Corp.

The Aleut Corporation forwards to the approved participants a copy of NMFS' approval letter before harvesting or processing occurs. The copy of the letter must be on site at the shoreside processor or onboard the vessel at all times and must be presented for inspection upon the request of any authorized officer. The number of recent participants is shown in the table below.

	Catcher vessel	Catcher/processor	Shoreside processor
2011	0	0	0
2010	1	1	0
2009	8	1	1
2008	6	1	0

The letter must contain the following information:

Annual AI Pollock Fishery Letter

- Vessel or processor name
- Federal fisheries permit number or Federal processor permit number
- AFA permit number

Type of participant (e.g., catcher vessel, catcher/processor, shoreside processor)
 Alaska Department of Fish and Game (ADF&G) vessel registration number
 United States Coast Guard (USCG) documentation number
 Verification of Catch Monitoring Control Plan for shoreside and stationary floating processors
 Fishing year for which approval is requested.

In the past, we have included burden for a second letter, notifying NMFS of changes in approved vessels. Since there has been no fishing in this program since 2010, we are counting the burden for only the initial participant letter.

Annual AI Pollock Fishery Participant Letter, Respondent	
Total respondents	1
Total annual responses	1
Number responses per respondent = 1	
Total burden hours	16 hr
Time per response = 16 hr (includes vessel tracking and records retention)	
Total personnel cost (\$25 x 16)	\$400
Total miscellaneous costs (0.60)	\$1
Mailing list to NMFS (1.0 x 0.45 = \$0.45)	
Photocopy to 1 processor and 2 vessels ($\$0.05 \times 1 \text{ pp} \times 3 = \0.15)	

Annual AI Pollock Fishery Participant Letter, Federal Government	
Total responses	1
Total burden hours	1 hr
Time per response = 1 hr	
Total personnel cost (\$25 x 1)	\$25
Total miscellaneous cost	\$0

b. Copy of NMFS Approval to Participants [REMOVED]

This element is incorporated into the letter above, as it describes only the copies of the letter sent to participants.

c. Appeals Process.

The Aleut Corporation representative provides to NMFS a list of approved vessels and processors for participation in the AI directed pollock fishery for the next fishing year. NMFS reviews the list of participants and either approves or disapproves each participant. NMFS shall disapprove any participant that does not meet the requirements of the AI pollock fishery. NMFS will notify in writing the Aleut Corporation and the selected participant of the disapproval.

The selected participant will have 30 days in which to submit proof of meeting the requirements to participate in the AI directed pollock fishery. NMFS will review this documentation and will approve or disapprove this participant following the expiration of the 30-day evidentiary period. If disapproved, the Regional Administrator will send an initial administrative determination (IAD) to the selected participant. The IAD will indicate the deficiencies in the information required, including the evidence submitted in support of the information. The IAD also will indicate which claims cannot be approved based on the available information or evidence.

A participant who receives an IAD may appeal under the appeals procedures set out at § 679.43. The appeal must be filed not later than 60 days after the date the IAD is issued. A participant who appeals an IAD will receive an interim approval from NMFS authorizing participation in the AI directed pollock fishery. An interim approval based on claims contrary to the final determination will expire upon final agency determination.

The appeals process applies not only to formal denial of a vessel or processor to participate in the AI pollock fishery but also applies to common errors, omissions in information, or incomplete or inaccurate vessel information provided by a participant. The IAD becomes in reality a notification of error for differences or “mismatch” of information in the Aleut letter when compared with the NMFS database or the ADF&G database. If an error occurs, multiple informal communications and some formal correspondence would take place to correct the error. If there is a mismatch in the vessel data with the corresponding data in the NMFS files, Aleut Corporation would need to conduct investigation and verification to prove that the ADF&G or NMFS information is in error.

AI pollock participant appeal, Respondent	
Total respondents	1
Total annual responses	1
Response per year = 1	
Total burden hours	20 hr
Time per response = 20 hr	
Total personnel cost (20 x \$25)	\$500
Total miscellaneous cost	\$2
Postage to mail appeal (\$1.35), although most contacts probably would occur by telephone	

AI pollock participant appeal, Federal Government	
Total annual responses	1
Total burden hours	25 hr
Time per response = 25 hr	
Total personnel cost (25 x \$25)	\$625
Total miscellaneous cost	0

d. AI directed pollock fishery catch reports

AI directed pollock fishery catch reports (see 50 CFR part 679.5(q)) are described in the regulations. However the information required by the catch reports, from the beginning of the program, has been submitted through eLandings (see OMB 0648-0515), where it is identified with the management code AIP.

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

This information collection is basically a letter which contains a list of approved participants from Aleut Corporation. Upon approval by NMFS, copies of the letter are distributed to participating vessels and processors as proof of approval to participate in the AI pollock fishery. The final letter must be signed by representatives of NMFS and the Aleut Corporation; these original signatures cannot be sent electronically. Thereafter, copies of the approved letter could be sent to the vessel and processor by email but must be printed by the recipients and available in hard copy format.

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 action applies only to those entities that participate in the directed pollock trawl fishery in the Aleutian Islands. Only one small entity, a catcher vessel, is directly regulated by this action and the impact is not significant.

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

NMFS would be unable to manage the AI pollock fishery if this collection were not conducted or were conducted less frequently. The approved participants would be unknown and harvest rates could not be determined, which may result in allocations being exceeded.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the 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 November 3, 2011 (76 FR 68161) solicited public comment. No comments were received.

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

No plans exist to provide any payment or gift to respondents.

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

As stated in the regulations and in information posted at <http://alaskafisheries.noaa.gov>, the information collected under the Magnuson-Stevens Act is confidential under section 402(b). The information is also confidential under NOAA Administrative Order 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: 2 (Aleut Corporation and 1 appellant) decreased from 6. Estimated total responses: 2, decreased from 27. Estimated total burden: 36 hours, decreased from 134 hours. Estimated total personnel cost: \$900, decreased from \$3,350 (\$25 per hour, based on the average wage equivalent to a GS-7 employee in Alaska, including COLA).

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: \$3, decreased from \$31.

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

Estimated total responses: 2, decreased from 7. Estimated total burden: 26 hours, decreased from 127 hours. Estimated total personnel cost: \$650, decreased from \$3,175.

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

Program Change: “Copy of NMFS Approval to Participants” has been removed as a separate information collection in ROCIS due to its inclusion in the Annual AI Pollock Fishery Letter Information collection in the supporting statement. This combining of two information collections shows up as a program change in ROCIS: decrease of 20 responses, 2 hours and \$28.

Also, because there has been no fishing activity since 2010, burden for a second letter from the corporation, notifying NMFS of changes in approved vessels, has been removed. This results in a decrease of 1 response and 16 hours.

Adjustments:

We are estimating one, rather than five, appeals, resulting in a decrease of 4 responses and 80 hours.

Due to increased postage rates, the total recordkeeping/reporting costs for the responses remaining in this collection increased by \$2.

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

The list of approved AI pollock participants is posted on the NMFS Alaska Region Web page at <http://alaskafisheries.noaa.gov/ram/aipollock.htm>.

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.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.