

**SUPPORTING STATEMENT
WESTERN ALASKA COMMUNITY DEVELOPMENT QUOTA (CDQ) PROGRAM
OMB CONTROL NO. 0648-0269**

INTRODUCTION

This request is for revision of this information collection, in conjunction with a final rule, RIN 0648-BB67.

National Marine Fisheries Service (NMFS) manages the groundfish fisheries in the exclusive economic zone (EEZ) off Alaska. The North Pacific Fishery Management Council (Council) prepared the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) under the authority of the Magnuson-Stevens Fishery Conservation & Management Act (16 U.S.C. 1801 *et seq.*) as amended in 2006. Regulations implementing the FMP appear at 50 CFR part 679.

The Western Alaska Community Development Quota (CDQ) Program is an economic development program implemented under the Magnuson-Stevens Act and the FMP. The purposes of the Program are to provide western Alaska communities the opportunity to participate and invest in Bering Sea and Aleutian Islands Management Area (BSAI) fisheries, to support economic development in western Alaska, to alleviate poverty and provide economic and social benefits for residents of western Alaska, and to achieve sustainable and diversified local economies in western Alaska.

This action would remove regulations at § 679.32(e)(3) that allow CDQ groups to propose an alternative fishing plan to use only one observer where two are required, to sort and weigh catch by species on processor vessels, or to use larger sample sizes than those that can be collected by one observer. Since these regulations were implemented in 1999 (63 FR 30381, June 4, 1998), they have been used by the CDQ groups to obtain approval from NMFS for one lead level-2 observer on longline catcher/processors rather than the two observers required in § 679.51(a)(2)(vi)(A)(3).

A. JUSTIFICATION

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

The alternative fishing plan was required to ensure that each set was available to be sampled by a lead level-2 observer and that the single lead level-2 observer was not required to work more than 12 hours in a 24 hour period to complete all their duties. The CDQ groups have not used the alternative fishing plan regulations for catcher/processors using trawl gear, motherships, or catcher vessels of any kind. Trawl catcher/processors and motherships cannot conduct efficient CDQ fisheries with a single observer, and no catcher vessels participating in the CDQ fisheries

are required to carry 2 observers. Therefore, the alternative fishing plans have been a viable option only for some of the longline catcher/processors while CDQ fishing.

This action would standardize the observer coverage and catch monitoring options for longline catcher/processors in both the CDQ and non-CDQ fisheries because the monitoring and enforcement challenges in these fisheries are similar.

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 Information Quality Guidelines.

Each of the monitoring options for groundfish CDQ fishing under this action would require either two observers, one of whom must be a lead level-2 observer, or a lead level-2 observer and a motion compensated scale. With this standardization in observer coverage requirements between the CDQ and non-CDQ fisheries, the alternative fishing plan regulations would no longer be necessary. If operators of vessels groundfish CDQ fishing wanted to fish with one observer, they could continue to do so provided the vessel operator selects the scales option under § 679.100.

With this action, the only remaining information collections are: application for approval of use of non-CDQ harvest regulations (one response, 5 hours and \$1 in recordkeeping/reporting costs and non-chinook prohibited species quota (PSQ) or CDQ transfer request (12 responses, 6 hours and \$1 in recordkeeping/reporting costs).

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.

All CDQ forms with instructions are available in a fillable format on the NMFS Alaska Region website at <http://www.alaskafisheries.noaa.gov>, from which the public may download copies of current forms.

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 only small entities that are directly regulated by this action are the six CDQ groups. The information collected is the minimum needed.

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

The purpose of the CDQ Program is the quota allocation for groundfish, halibut, crab, and prohibited species in the BSAI to Western Alaska communities, so that these communities can start and support regionally-based, commercial seafood or other fisheries-related businesses. Under the CDQ Program, 65 eligible Western Alaska communities have organized into six separate CDQ groups. Without this program, these small communities would be economically devastated.

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.

This request is related to RIN 0648-BB667. The proposed rule, soliciting public comments, published June 15, 2012 (77 FR 35925) and the final rule, September 26, 2012 (77 FR 59053). No comments were received about the removal of the alternative fishing plan per se. Comments on the standard options for two observers vs one observer and one scale will be addressed in the resubmission of the revision to OMB Control No. 0648-0330.

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 two forms now comprising the collection, information collected is confidential under section 402(b) of the Magnuson-Stevens Act. It is also confidential under [NOAA Administrative Order 216-100](#), which sets forth procedures to protect confidentiality of fishery statistics.

All information collected is part of a system of records: NOAA #19, published April 17, 2008, currently in process of being updated.

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.

Information collected for the CDQ Program does not include information of a private or sensitive nature.

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

Eliminating the alternative fishing plan would result in savings of 12 responses, 48 hours, and \$61 in recordkeeping/reporting costs. Including the burden associated with other collections under this control number, responses decrease from 25 to 13; hours, from 59 to 11, and costs from \$63 to \$2. The number of unduplicated respondents remains at 6.

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: \$2, reduced from \$63.

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

Estimated total responses: 13. Estimated total burden: 11. Estimated total personnel cost: \$275, based on \$25/hr the average wage equivalent to a GS-9 employee in Alaska, including COLA.

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

This program change removes 12 responses, 48 hours and \$61 in recordkeeping/reporting requirements, due removal of the alternative fishing plan.

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

The information obtained from this collection is not expected to be published for statistical use.

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.