

**SUPPORTING STATEMENT
ALASKA CRAB COST RECOVERY
OMB CONTROL NO. 0648-0570**

This action requests revision and extension of an existing collection. The revision is the transfer of one form to OMB Control No. 0648-0514.

BACKGROUND

In January 2004, the United States (U.S.) Congress amended Section 313(j) of the [Magnuson-Stevens Fishery Conservation and Management Act](#), 16 U.S.C. 1801 *et seq.* (Magnuson-Stevens Act) to mandate the Secretary of Commerce to implement the Crab Rationalization Program for the Bering Sea and Aleutian Islands Management Area crab fisheries (CR Program). The CR Program allocates Bering Sea and Aleutian Islands Management Area (BSAI) crab resources among harvesters, processors, and coastal communities. The North Pacific Fishery Management Council prepared, and National Marine Fisheries Service (NMFS) approved, the Fishery Management Plan for BSAI King and Tanner Crabs (FMP). The FMP establishes criteria for the management of certain aspects of the BSAI crab fisheries by the State of Alaska Department of Fish and Game and is implemented by regulations at [50 CFR part 680](#).

Section 313(j) of the Magnuson-Stevens Act provided supplementary authority to section 304(d) (2)(A) and additional detail for cost recovery provisions specific to the CR Program. The cost recovery provision allows collection of 133 percent of the actual management, data collection, and enforcement costs up to three percent of the ex-vessel value of crab harvested under the CR Program. Additionally, section 313(j) requires the harvesting and processing sectors to each pay half the cost recovery fees. Catcher/processors must use the standard price for all crab harvested and processed at sea and must pay the full fee percentage for crab processed at sea.

The fee liability is based on the total value received for CR Program crab reported under each Registered Crab Receiver (RCR) permit. It represents the total dollar value of CR Program crab before any deductions are made for goods and services provided (i.e., bait, ice, fuel, repairs, machinery replacement, etc.), multiplied by the NMFS published fee percentage for the CR Program crab fishing year. Each year, NMFS calculates and publishes in the *Federal Register* a notification of the fee percentage for cost recovery so holders of crab allocations may calculate the required payment for cost recovery fees. The formula for determining the fee percentage is the “direct program costs” divided by “value of the fishery,” where “direct program costs” are the direct program costs for the CR Program for the previous fiscal year. “Value of the fishery” is the ex-vessel value of the catch subject to the crab cost recovery fee liability for the current year. Fee collections for any given year may be less than, or greater than, the actual costs and fishery value for that year, because, by regulation, the fee percentage is established in the first quarter of a crab fishery year based on the fishery value and the costs of the prior year.

The fee percentage has shown a net decline over time because of a variety of factors, including the increasing value of the fishery due to increased total allowable catch limits for various crab species such as Bristol Bay red king crab (*Paralithodes camtshaticus*) and Bering Sea snow crab (*Chionoecetes opilio*), increased ex-vessel price per pound of crab relative to previous years, and

decreased management costs relative to previous years primarily due to decreased staff and contract costs.

A. JUSTIFICATION

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

The CR Program is a limited access system authorized by section 313(j) of the Magnuson-Stevens Act. The CR Program includes a cost recovery provision to collect fees to recover the actual costs directly related to the management, data collection, and enforcement of the program. NMFS developed the cost recovery provision to conform to statutory requirements and to partially reimburse the agency for the unique added costs of management, data collection, and enforcement of the Program.

2. 1 Explain how, by whom, how frequently, and for what purpose the information will be used. 1 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. 1 Eligible Crab Community Organization (ECCO) Annual Report [MOVED TO OMB Control No. 0648-0514]

This report is moved out of this collection, because it is not used for cost recovery, and has been added to OMB Control No. 0648-0514, Alaska Region BSAI Crab Permits, in a revision recently submitted to OMB.

An Eligible Crab Community Organization (ECCO) is a non-profit organization that represents at least one Eligible Crab Community (ECC) and that has been approved by NMFS to obtain by transfer and hold crab QS and to lease the resulting individual fishing quota (IFQ) on behalf of an ECC.

b. 1 Registered Crab Receiver (RCR) Ex-vessel Volume and Value Report

The purpose of this form is to collect information from RCRs so that NMFS can establish a standard ex-vessel price for CR Program crab. NMFS uses the standard price to estimate the cost recovery fees due from processors and harvesters.

The reporting period shall extend from August 15 through April 30 of the following year, inclusive. A complete RCR Ex-vessel Volume and Value Report must be received by the Regional Administrator no later than May 15 of the reporting period in which the RCR received the CR Program crab.

An RCR that also operates as a shoreside processor or stationary floating processor and receives and purchases landings of CR crab must submit annually to NMFS online a complete RCR Ex-vessel Volume and Value Report, for each reporting period in which the RCR receives CR Program crab.

This report may only be submitted online. The RCR must log in using the RCR's password and NMFS person ID. NMFS software auto-fills some of the cells. The user must review the auto-filled cells to ensure that they are accurate. The online RCR Ex-vessel Volume and Value Report is available at <https://alaskafisheries.noaa.gov/webapps/efish/login>.

The RCR Ex-vessel Volume and Value Report should contain the following information.

RCR Ex-vessel Volume and Value Report

Block A -- RCR identification

- Name of RCR
- NMFS Person ID
- RCR Permit No
- Taxpayer ID (EIN or SSN): social security number if an individual, employer ID number if a non-individual
- Date of Birth if an individual or Date of Incorporation if a non-individual
- Business Mailing Address; indicate whether permanent or temporary
- Business Telephone Number
- Business Fax Number
- Business E-mail Address (if any)

Block B -- Catch information

- Landing Month
- Port
- Fishery
- Species
- Program
- Pounds Purchased
- Value of Purchased Pounds

Block C -- Certification

By using the RCR NMFS ID and password and submitting the report, the RCR certifies that all information is true, correct, and complete to the best of his or her knowledge and belief.

The personnel costs are updated to reflect current rates for GS-7, change from \$25 per hour to \$37 per hour. The current number of respondents has increased to 44 from 30 reported in the last renewal analysis. Although previously reported that some RCRs have more than one RCR permit, this is clarified to read that some owners have more than one RCR. Thus, each RCR must submit this form.

Registered Crab Receiver Ex-vessel Volume and Value Report, Respondent	
Number of respondents	44
Total annual responses	44
Frequency of response = 1	
Total burden hours	88 hrs
Time per response = 2 hrs	
Total personnel cost (\$37/hr x 88)	\$3,256
Total miscellaneous cost (4.40)	\$4
Online = 0.05 x 44 = 2.20	
Copy = 0.05 x 1pp x 44 = 2.20	

Registered Crab Receiver Ex-vessel Volume and Value Report, Federal Government	
Total annual responses	44
Total burden hours	11 hr
Time per response 15 minutes	
Total personnel cost (\$37/hr x 11)	\$407
Total miscellaneous cost	0

c. Registered Crab Receiver (RCR) Fee Submission Form

A crab allocation holder generally incurs a cost recovery fee liability for every pound of crab landed. The crab allocations include IFQ, Crew IFQ, individual processing quota (IPQ), Western Alaska Community Development Quota (CDQ), and the Adak community. Under a CDQ or the Adak community allocation, the harvester delivering the crab on behalf of the community entity to the RCR is responsible for paying the harvester share of the fee liability at the time of landing to the RCR. The RCR permit holder must collect the fee liability from the crab allocation holder who is landing crab and must self-collect any fee liability for all crab delivered to the RCR.

The dollar amount of the fee due is determined by multiplying the fee percentage (not to exceed 3 percent) by the ex-vessel value of crab debited from the allocation. Specific details on the Program's cost recovery provision may be found in the implementing regulations set forth at § 680.44.

Payment may be made payable to NMFS Payment in U.S. dollars by personal check drawn on a U.S. bank account, money order, bank certified check, or credit card. Payment and related documents may be sent by mail, by fax, or online.

An RCR who receives any CR Program crab pursuant to § 680.44 must submit to NMFS online a complete RCR fee form as instructed on the form at NMFS Alaska Region website at <http://alaskafisheries.noaa.gov> and any crab cost recovery fee liability payment(s) not later than July 31 following the crab fishing year in which the CR crab landings were made.

RCR fee submission form

Block A - Identification of RCR

Name and NMFS Person ID
TIN (EIN or SSN) social security number if an individual; employer ID number if a non-individual
Date of incorporation if a non-individual or date of birth if an individual
All RCR Permit numbers held by permit holder
Business mailing address
Business telephone number, business fax number, and business e-mail address (if any)

Block B -- Agreement With Crab Fee Liability Summary

Indicate agreement or no agreement with the Crab Fee Liability Summary

If YES, and have not paid on line, date and sign name

Attach payment in the envelope provided

If NO, complete the Fee Calculation Worksheet

Attach Fee Calculation Worksheet and documentation supporting claimed fee liability

Block C - Method of Payment

Indicate method of fee payment

If credit card, enter type of card, card number, expiration date, name as printed on card, and amount of payment, signature of credit card holder and date signed

If paying for multiple RCR permit holders, **attach** all completed/signed Fee Submission Forms
 Make all checks or money orders payable to “National Marine Fisheries Service”

Block D – Applicant Signature

Enter printed name and signature of RCR and date signed

If authorized representative, **attach** authorization to the application

Attachment -- Crab Fee Calculation Worksheet (if applicable)

Complete this worksheet **ONLY** if you **do not agree** with your Crab Fee Liability Summary.

Attach documentation supporting your calculated crab fee liability, if it is different from Liability Summary

RCR Permit Number(s)

Date(s) of the landing(s) (month/Year)

Port location where landing(s) was/were made

CR Fishery in which these crab were harvested

Crab species (i.e. red, blue, tanner, opilio, etc.)

CR Program (IFQ, CDQ or Adak)

Number of CR pounds landed (excluding deadloss, personal use, confiscated pounds or pounds of crab harvested and processed by catcher/processor on permit(s) for specific date(s).

Standard ex-vessel price

Actual ex-vessel price paid for crab

Multiply the total pounds landed on the permit(s) by the standard or actual ex-vessel price to get the total for each landing.

Subtotal of fees owed for all permits

Total adjustments (retro payments or bonuses paid in previous year)

Subtotal

Fee Liability

Subtract any pre-payments or credits (see Liability Summary)

Balance Due

Enclosed Payment Amount

The personnel costs are updated to reflect current rates for GS-7, change from \$25 per hour to \$37 per hour. The current number of respondents is corrected and increased to 44 from 25 reported in the last renewal analysis.

RCR fee submission form, Respondent	
Number of respondents	44
Total annual responses	44
Frequency of response = 1	
Total burden hours	22 hrs
Time per response = 30 min	
Total personnel costs (\$37/hr x 22)	\$814
Total miscellaneous costs (\$19.30)	\$19
Online (0.05 x 40 = \$2)	
Postage (0.45 x 2 = \$0.90)	
Fax (\$6 x 2 = \$12)	
Photocopy (2pp x 0.05 x 44 = \$4.40)	

RCR fee submission form, Federal Government	
Number of responses	44
Total burden hours	11
Time per response = 15 min	
Total personnel costs (\$37 x 11)	\$407
Total miscellaneous costs	0

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 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 Registered Crab Receiver Ex-vessel Volume and Value Report is submitted online at <https://alaskafisheries.noaa.gov>. The Fee Submission Form may be submitted online, by fax, or by mail.

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.

This 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.

If this collection were not conducted or conducted less frequently, the CR Program would not be able to continue. Under the Magnuson-Stevens Act, costs for management and enforcement of IFQ and other limited access permit programs are recoverable from participants, up to a maximum of 3 percent of the ex-vessel value of the crab. Under sections 304(d)(2)(A) and 313(j) the Magnuson-Stevens Act prescribes the cost recovery framework, including the requirement for fee sharing with the State of Alaska. Actual costs recovered are only those “incremental costs” associated with management and enforcement of the Program. “Incremental costs” are costs directly due to rationalization. By statute, CR Program fees must be shared equally by the harvesting and processing sectors; by regulation, the RCRs assume the fee liability and must remit the fees to the Federal Government

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

1.No inconsistencies occur in this collection.

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.

NMFS published a notice in the *Federal Register* on July 8, 2013 (78 FR 40696), soliciting public comments on the information collection. No comments were received.

To comply with the requirement to consult with persons outside the agency, NMFS sent out a list of questions by email to the 11 owners of the 44 RCRs requesting comments on the Crab Cost Recovery Program. The complete questionnaire is appended. Two responses were received and are shown below. These responses will be saved, and if additional input shows that changes may be appropriate, the regulations will be changed.

Registered Crab Receiver (RCR) Ex-vessel Volume and Value Report – Annual – http://alaskafisheries.noaa.gov/sustainablefisheries/crab/rat/rcr_lvr_form.pdf				
	COMMENTS	YES	NO	No Comment
1. Is the information requested on the Volume & Value Report easily available?		2		
2. Do you find it less expensive or take less time to complete an online application?		1	1	
3. Is our estimate of 2 hours long enough for you to collect and record the information? IF NO, how long does it take to complete a permit application?		2		
4. Are the instructions for the application clear and understandable?		2		
5. Do you think that submitting this information each year is necessary?		1	1	
6. Provide any additional comments on any aspect of the Value & Volume report.	None			

Registered Crab Receiver (RC) Fee Submission Form – Annual – http://alaskafisheries.noaa.gov/ram/crab/rcrfeesubmission.pdf				
	COMMENTS	YES	NO	No Comment
1. Is the information requested on the Fee Submission Form easily available?		2		
2. Do you find it less expensive or take less time to complete an online fee submittal?		1	1	
3. Is our estimate of 30 minutes long enough for you to collect and record the information? IF NO, how long does it take to complete an application?		2		
4. Are the instructions for the form clear and understandable?		2		
5. Do you think that submitting a fee each year is necessary?		1	1	
6. Provide any additional comments on any aspect of the permit application	None			

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

1No 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.

1The 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.

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.

The Social Security Number or Employer Identification Number (SSN/TIN) is used to verify the identity of the applicant(s) and to accurately retrieve confidential records related to Federal permits. The primary purpose for requesting the SSN/TIN is for the collection and reporting on any delinquent amounts arising out of such person's relationship with the government pursuant to the [Debt Collection Improvement Act of 1996](#) (Public Law 104-134). Personal information is confidential and protected under the [Privacy Act](#) (5 U.S.C. 552a). Business information may be disclosed to the public.

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

Estimated total unique respondents: 44 RCRs, an increase from 30 RCR Permits and one ECCO. Estimated total responses: 88, an increase from 56. Estimated total burden: 110 hrs, a decrease from 113 hrs. Estimated total personnel cost: \$4,070, an increase from \$2,825.

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 #12 above).

Estimated total miscellaneous costs: \$23, an increase from \$11.

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

Estimated total annual burden: 22 hrs, a decrease from 23 hrs. Estimated total personnel cost: \$814, an increase from \$575.

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

Program Change:

The ECCO Annual Report is moved to OMB Control No. 0648-0514, as it is not related to cost recovery.

Eligible Crab Community Organization (ECCO) Annual Report [REMOVED]

a decrease of 1 respondents and responses, 0 instead of 1
a decrease of 40 burden hours, 0 hrs instead of 40 hrs
a decrease of \$1,000 personnel cost, \$0 instead of \$1,000
a decrease of \$1 miscellaneous cost, \$0 instead of \$1

Adjustments:

NMFS makes adjustments to correct and increase the number of participants and the hourly cost of personnel for these information collections. The same number of participants must submit both forms.

RCR Ex-vessel Volume & Value Report

an increase of 14 respondents and responses, 44 instead of 30
an increase of 28 burden hours, 88 hrs instead of 60 hrs
an increase of \$1,756 personnel cost, \$3,256 instead of \$1,500
an increase of \$2 miscellaneous cost, \$4 instead of \$2

RCR Fee Submission Form

an increase of 19 responses, 44 instead of 25
an increase of 9 burden hours, 22 hrs instead of 13 hrs
an increase of \$489 personnel cost, \$814 instead of \$325
an increase of \$11 miscellaneous cost, \$19 instead of \$8

Net adjustments: Increase of 14 respondents, 33 responses, 37 hours, and \$13 in miscellaneous costs.

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.

1

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

APPENDIX

QUESTIONS FOR OMB CONTROL NUMBER 0648-0570 COLLECTION ALASKA CRAB COST RECOVERY

(September 16, 2013)

The Office of Management and Burden (OMB) requires each Federal agency to ask for comments from non-agency persons who are required to comply with recordkeeping and reporting regulations for that agency. The Crab Rationalization (CR) Program is a limited access system authorized by section 313(j) of the Magnuson-Stevens Act. The CR Program includes a cost recovery provision to collect fees to recover the actual costs directly related to the management, data collection, and enforcement of the program. NOAA National Marine Fisheries Service, Alaska Region (NMFS) developed the cost recovery provision to conform to statutory requirements and to partially reimburse the agency for the unique added costs of management, data collection, and enforcement of the CR Program.

To satisfy the OMB paperwork requirements for renewal of OMB Control Number 0648-0570 (Expiration Date 01/31/2014), NMFS requests your opinion on the Crab Cost Recovery collection which currently requires the use of two forms:

- ◆ **Registered Crab Receiver (RCR) Ex-vessel Volume and Value Report**
- ◆ **Registered Crab Receiver (RCR) Fee Submission Form**

A crab allocation holder generally incurs a cost recovery fee liability for every pound of crab landed. The crab allocations include IFQ, Crew IFQ, IPQ, CDQ, and the Adak community. Under a CDQ or the Adak community allocation, the harvester delivering the crab on behalf of the community entity to the RCR is responsible for paying the harvester share of the fee liability at the time of landing to the RCR. The RCR permit holder must collect the fee liability from the crab allocation holder who is landing crab and must self-collect any fee liability for all crab delivered to the RCR.

Please take a few minutes to let us know what you think about details of the CR Program Cost Recovery. Provide comments in the space provided on any aspect of this program. Respond to YES or NO answers and NO COMMENT answers with an "X". Then, email your responses to me at patsy.bearden@noaa.gov no later than Friday, September 27, 2013.

If you have questions or need additional information, please call me at 907-586-7008. Thanks in advance.

Respectfully,

Patsy A. Bearden
Sustainable Fisheries Division
NMFS Alaska Region

Telephone: 907-586-7008
Fax: 907-586-7465

Registered Crab Receiver (RCR) Ex-vessel Volume and Value Report – Annual – http://alaskafisheries.noaa.gov/sustainablefisheries/crab/rat/rcr_lvr_form.pdf				
	COMMENTS	YES	NO	No Comment
1. Is the information requested on the Volume & Value Report easily available?				
2. Do you find it less expensive or take less time to complete an online application?				
3. Is our estimate of 2 hours long enough for you to collect and record the information? IF NO, how long does it take to complete a permit application?				
4. Are the instructions for the application clear and understandable?				
5. Do you think that submitting this information each year is necessary?				
6. Provide any additional comments on any aspect of the Value & Volume report.				

Registered Crab Receiver (RC) Fee Submission Form – Annual – http://alaskafisheries.noaa.gov/ram/crab/rcrfeesubmission.pdf				
	COMMENTS	YES	NO	No Comment
1. Is the information requested on the Fee Submission Form easily available?				
2. Do you find it less expensive or take less time to complete an online fee submittal?				
3. Is our estimate of 30 minutes long enough for you to collect and record the information? IF NO, how long does it take to complete an application?				
4. Are the instructions for the form clear and understandable?				
5. Do you think that submitting a fee each year is necessary?				
6. Provide any additional comments on any aspect of the permit application				