

**SUPPORTING STATEMENT
ALASKA LICENSE LIMITATION PROGRAM FOR
GROUNDFISH, CRAB, AND SCALLOPS
OMB CONTROL NO. 0648-0334**

This request is for revision and extension of an existing information collection. Two information collections that were for one time only have been removed.

INTRODUCTION

National Marine Fisheries Service, Alaska Region (NMFS) manages the fisheries in the exclusive economic zone (EEZ) off the coast of Alaska under Fishery Management Plans (FMPs): the FMP for Groundfish of the Gulf of Alaska, the FMP for Groundfish of the Bering Sea and Aleutian Islands Management Area, the FMP for Bering Sea/Aleutian Islands King and Tanner Crabs, and the FMP for the Scallop Fishery off Alaska. The North Pacific Fishery Management Council (Council) prepared, and NMFS approved, the FMPs under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#), 16 U.S.C. 1801 *et seq.* as amended in 2006. These FMPs are implemented by regulations at [50 CFR parts 679 and 680](#).

BACKGROUND

The License Limitation Program (LLP) is a step toward solving the conservation and management problems of Alaska's open access fisheries. The LLP provides stability in the fishing industry and identifies the field of participants in the fisheries. The LLP restricts access to the commercial groundfish fisheries, commercial crab fisheries and commercial scallop fisheries in the EEZ off Alaska except for certain areas where alternative programs exist. The intended effect of the LLP is to limit the number of participants and reduce fishing capacity in fisheries off Alaska. LLP licenses authorize the license holder to deploy a vessel in fisheries designated by gear, area, and operational type endorsements specified on the LLP license.

A limited number of LLP licenses have been issued to limit the total number of potential participants in Gulf of Alaska (GOA) groundfish fisheries. LLP licenses are assigned endorsements for specific areas (e.g., Central or Western GOA), specific gear (e.g., trawl or hook-and-line gear), and operation type (e.g., catcher vessel or catcher/processor), and in the case of vessels using hook-and-line or pot gear in the Central and Western GOA Pacific cod fisheries, a Pacific cod endorsement.

A. JUSTIFICATION

An LLP license is required for vessels participating in directed fishing for LLP groundfish species in the GOA or Bering Sea and Aleutian Islands Management Area (BSAI), or fishing in any BSAI LLP crab fisheries. The scallop LLP is intended to limit the number of participants and reduce fishing capacity in the scallop fishery off Alaska.

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

The LLP originally collected basic information in order to make decisions regarding which owners of vessels were issued licenses and which were not. The decisions were based on the fishing history of the vessel and on the vessel's size. Now that the selection process is completed, LLPs are issued to qualifying vessel owners only through transfer.

2. 1Explain how, by whom, how frequently, and for what purpose the information will be used. 1If 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. Notification to Surrender LLP Endorsement (REMOVED: One time only)

Amendment 99 automatically increased the vessel MLOA to 220 feet (67 m) on 33 LLP licenses in the BSAI longline catcher/processor subsector not also endorsed for pot gear. NMFS encouraged the remaining eligible three LLP license holders who also use pot gear to surrender their LLP in exchange for eligibility to replace aging vessels with newer, safer, and more efficient 220-foot (67 m) MLOA vessels.

If the written notification is received by NMFS within the 36 months prior to the deadline, NMFS would issue a revised LLP license to the holder of that license. License holders who choose not to make the one-time election, or who do not submit a written notification within the 36-month deadline would retain their current MLOA on their LLP licenses and eligibility to fish in both the Pacific cod pot fisheries and longline fisheries in the BSAI and GOA.

Thirty days following the publication of the final rule, NMFS issued new LLP licenses with an MLOA of 220 feet (67 m) to the 33 holders of the eligible licenses and the MLOAs of the three pot-gear LLP licenses would only be modified after the submission of a written request from the holders of LLP licenses.

b. Survey to Verify the Length Overall (LOA) of the Vessel (REMOVED: One-time only)

To determine the maximum length overall (MLOA) to be applied to the LLP license, NMFS uses the LOA of the vessel to which the LLP license was assigned at the time of the effective date of Amendment 86. If the LLP holder disagreed with the LOA on file with NMFS, and wished to provide data to NMFS establishing a different LOA for the vessel, NMFS would require that the LLP license holder provide a survey conducted by a naval architect or marine surveyor independent from the vessel owner or LLP license holder to verify the LOA of the vessel prior to approving the designation of an LLP license for that vessel, if that vessel does not have a certified survey on file.

NMFS provided a vessel owner 90 days from the effective date of Amendment 86 to provide the survey to NMFS. The 90-day time period provided the LLP license holder with the time necessary to have a vessel surveyed and to provide that information to NMFS. NMFS would not assign a Pacific cod endorsement to an LLP license holder with a greater LOA than that provided in NMFS's record unless a timely independent survey was submitted and received by NMFS.

If no survey was provided within the 90 day time frame, NMFS reissued the LLP license with the MLOA equal to the LOA of the vessel that the LLP license was assigned based on the LOA on file with NMFS. Any LLP license that received an endorsement under this provision could not be equal to or exceed 60 feet MLOA under any circumstance.

c. Application for Transfer License Limitation Program Groundfish/Crab License (CHANGED: Fewer respondents, responses and hours, labor rate increased but total decreased, decrease to miscellaneous costs)

Groundfish/Crab License Transfer

A vessel within the EEZ off Alaska that is catching and retaining LLP groundfish must be named on an original LLP groundfish license that is onboard the vessel. Each vessel within the EEZ off Alaska that is catching and retaining scallops, must have an original scallop LLP license on board at all times it is catching and retaining scallops. LLPs are issued to qualifying vessel owners only through transfer.

Each transfer request must include a completed transfer application, the original license, and a copy of the sale or transfer agreement. From the copy of the transfer contract or Bill of Sale for LLP permits, NMFS can look up much of the same financial information if needed. The financial information requested on the applications is primarily used for research and program evaluation.

Application for Transfer License Limitation Program Groundfish/Crab License

Block A – Required documentation

Use this block to determine which forms and other information must be attached to your transfer. Please check all that apply to ensure that your application is complete and can be processed in a timely manner

Block B – Identification of license to be transferred

Indicate whether license to be transferred is groundfish, crab, or Aleutian Islands and enter LLP license number

Block C -- Identification of Rockfish QS to be Transferred

This section applies only to Rockfish Quota Share (QS) assigned to an LLP license that exceeds a use cap specified in § 679.82 (a)(2). All other Rockfish QS is not severable from the LLP license on which it was initially allocated.

LLP license number on which Rockfish QS over the use cap is currently assigned

LLP license number to which the Rockfish QS is being transferred. This LLP license must already be assigned Rockfish QS

Identification of Rockfish QS to be transferred (list number of QS units and Rockfish Species)

Block D – Identification of transferor (seller)

Name of transferor (as it appears on LLP)

Permanent business mailing address

Temporary business mailing address for (if applicable)

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

Block E – Identification of transferee (receiver)

Indicate if transferee is a U.S. Citizen, or U.S. corporation, partnership, association, or other non-individual entity

If NO, stop here. The person is not eligible to receive a license.

Name of transferee

Permanent business mailing address

Temporary business mailing address (if applicable)

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

Block F -- Vessel currently named on license

Name of vessel

Length overall (ft)

ADF&G vessel registration number

USCG documentation number

Block G -- Vessel to be named on new license

Name of vessel

Length overall (ft)

ADF&G vessel registration number

USCG documentation number

Block H – LLP Ownership documentation

Provide the names of all persons, to the individual level, holding an ownership interest in the LLP License being transferred and the percentage ownership each person and individual will hold in the LLP License

Block I -- Transferor information

Total amount being paid for the license in this transaction, including all fees

Indicate whether this price includes the price of the vessel

Reason for transferring the license (check all that apply)

Indicate whether a broker is employed to assist with this transaction

If YES, enter price paid in brokerage fees or percent of total price

Block J -- Transferee information

Indicate whether license is used as collateral for a loan

If YES, enter name of party holding security interest or lien

Primary source of financing

How the license was located

Receiver's relationship to the license holder

Indicate whether transfer of LLP license includes the sale of the fishing history of a vessel

If YES, identify

Name of vessel

ADF&G number

USCG documentation number

Vessel LOA

Indicate whether transfer of this LLP license is part of an agreement that also transfers ownership of a vessel

If YES, identify

Name of vessel

ADF&G number

USCG documentation number

Vessel LOA

Indicate whether there is an agreement to return the license to the transferor or to transfer it to any other person, or is there is any condition requiring the resale or conveyance of the license

If YES, explain

Block K -- Certification of transferor/seller

Printed name, signature, and date signed

If representative, **attach** authorization

Name and signature of notary public, notary stamp or seal, and date commission expires

Block L -- Certification of transferee/receiver

Printed name, signature, and date signed

If representative, **attach** authorization

Name and signature of notary public, notary stamp or seal, and date commission expires.

Scallop License Transfer

Block A – Identification of License to be transferred

License number

Total price to be paid for the license, including fees

Indicate whether this price includes the price of the vessel or other assets

Attach copy of sales contract or other agreement between the parties that sets out the terms and conditions of the proposed transfer.

Block B – Transferor information (seller)

Name

Business mailing address; indicate whether permanent or temporary

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

Block C – Transferee information (buyer)

Indicate whether transferee is a U.S. Citizen or U.S. corporation, partnership, association, or other non-individual entity

If NO, stop. The person is not eligible to receive this license

Name

NMFS Person ID

Business mailing address; indicate whether permanent or temporary

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

Block D -- Certification of transferor

Printed name, signature, and date signed

If signed by representative, **attach** authorization

Name and signature of notary public, notary stamp or seal, and date commission expires

Block E -- Certification of transferee

Printed name and signature and date signed

If signed by representative, **attach** authorization

Name and signature of notary public, notary stamp or seal, and date commission expires.

Groundfish, crab, and scallop transfer application, Respondent	
Total respondents	61
Scallops -- 1	61
Crab -- 10	
Groundfish -- 50	
Total responses	61
Frequency of response = 1	
Total burden hours	61 hr
Time per response = 1 hr	
Total personnel cost (\$37 x 61)	\$2,257
Total miscellaneous costs (646.60)	\$647
Postage (0.45 x 61 = 27.45)	
Photocopy (0.05 x 3pp x 61 = 9.15)	
Notary (\$10 x 61 = 610)	

Groundfish, crab, and scallop transfer application, Federal Government	
Total responses	61
Total burden hours (30.50)	31 hr
Time per response = 30 minutes	
Total personnel costs (\$37/hr x 31)	\$1,147
Total miscellaneous costs	0

d. Transfer appeals (CHANGED: Fewer respondents, responses and hours, labor rate increased but total decreased, decrease to miscellaneous costs)

To apply for a transfer appeal, the applicant must provide a written statement in support of the appeal and show why the initial determination should be reversed.

Transfer appeals, Respondent	
Total respondents	17
Total responses	17
Frequency of response = 1	
Total burden hours	68 hr
Hours per response = 4 hr	

Total personnel cost ($\$37 \times 68$)	\$2,516
Total miscellaneous costs (8.50)	\$9
Postage ($0.45 \times 17 = 7.65$)	
Photocopy ($0.05 \times 17 = 0.85$)	

Transfer appeals, Federal Government	
Total responses	17
Frequency of response = 1	
Total burden hours	68 hr
Hours per response = 4 hr	
Total personnel cost (\$75 x 68)	\$5,100
Total miscellaneous costs	0

It is anticipated that the information collected be disseminated to the public or used to support publicly disseminated information. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with National Oceanic and Atmospheric Administration (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 transfer applications may be completed on the computer screen at <http://alaskafisheries.noaa.gov> by the participant, downloaded, printed, and faxed or submitted by e-mail. NMFS is pursuing an Internet method in the future whereby all of the information will be entered online and submitted directly and automatically into a database.

4. Describe efforts to identify duplication.

None of the information collected as part of this information collection duplicates other collections.

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

NMFS has concluded that the LLP license holders are all affiliated with each other through membership in a cooperative. Consequently, all entities are considered “large entities” for the purpose of the RFA. Since there are no directly regulated small entities under this action, there are no economic impacts from this action 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.

An essential feature of the LLP program is the ability for participants to transfer their LLP license. The transfer feature is not a mandated item nor does it contain a cycle of completion. Transfers are done when the participants deem it necessary. Without the ability to track the movement of the LLP license, NMFS would be unable to manage effectively the LLP program

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

No special circumstances are associated with this information collection.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice published on June 19, 2014 (79 FR 35150, June 19, 2014) solicited public comments. No comments were received.

A questionnaire was prepared and transmitted by email to 20 randomly selected permit holders; two were returned because of incorrect address. 4 responses were received. A summary of the comments received is provided below. The survey form is appended.

Comments	Responses
I know we used to have one for GOA groundfish but thought it was no longer a valid program. Any chance you can check on our status?	NMFS Permits contacted this responder to answer his questions about the LLP Program
Sounds fishy to me. I am not clicking on any links from any unsolicited emails.	NA
Responder had no comments, and marked the survey to indicate that the responder did not use any of the three forms	No response
Responder had no comments, and marked the survey to indicate that the responder used only the Transfer of LLP groundfish or crab and agreed with all questions.	No response

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.

The information collected is mandatory and is required to manage commercial fishing efforts under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*); 3) As stated on the forms, responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act as amended in 2006 and 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: 78, down from 100. Estimated total responses: 78, down from 151. Estimated total burden: 129, down from 276 hours. Estimated total personnel costs: \$4,773 down from \$7,000.

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: \$656, down from \$1,981.

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

Estimated total responses: 78, down from 151. Estimated total burden: 99 hr, down from 227 hr. Estimated total personnel costs: \$6,247, down from \$14,747.

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

Adjustments

Application to transfer groundfish, crab, and scallop

a decrease of 39 respondents and responses, 61 instead of 100

a decrease of 39 burden hours, 61 hr instead of 100 hr

a decrease of \$243 in personnel costs, \$2,257 instead of \$2,500

a decrease of \$465 in miscellaneous costs, \$647 instead of \$1,112

Transfer appeals

a decrease of 25 respondents and responses, 17 instead of 42

a decrease of 100 burden hours, 68 hr instead of 168 hr

a decrease of \$1,684 in personnel costs, \$2,516 instead of \$4,200

a decrease of \$30 in miscellaneous costs, \$9 instead of \$39

Subtotal of adjustments: 64 fewer respondents and responses, 139 fewer hours, decreases of \$495 in recordkeeping/reporting costs and \$1,927 in personnel costs.

Program Changes

Survey to Verify Vessel LOA [REMOVED]

- a decrease of 6 respondents and responses, 0 instead of 6
- a decrease of 6 burden hours, 0 hr instead of 6 hr
- a decrease of \$150 in personnel costs, 0 instead of \$150
- a decrease of \$818 in miscellaneous costs, 0 instead of \$818

Notify to Surrender Endorsement [REMOVED]

- a decrease of 3 respondents and responses, 0 instead of 3
- a decrease of 2 burden hours, 0 hr instead of 2 hr
- a decrease of \$150 in personnel costs, 0 instead of \$150
- a decrease of \$12 in miscellaneous costs, 0 instead of \$12

Subtotal of Program Changes: 9 fewer respondents and responses, 8 fewer hours, decreases of \$830 in recordkeeping/reporting costs and \$300 in personnel costs.

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

NMFS Alaska Region posts LLP license information on the web at <http://alaskafisheries.noaa.gov/ram/llp.htm#list>. The lists contain LLP groundfish and crab licenses issued as of the indicated preparation date. Data are sorted alphabetically and are updated daily. Under current regulations, vessels must be designated on the licenses and the identities of original qualifying vessels are provided for reference only.

17. If seeking approval to not display the expiration date for OMapproval 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.