

**SUPPORTING STATEMENT
ALASKA COST RECOVERY PROGRAMS
OMB CONTROL NO. 0648-xxxx**

This request is for a new cost recovery information collection due to an associated rule (RIN 0648-BE05). This collection is created by combining new cost recovery programs (Amendment 80 Program, Western Alaska Community Development Quota (CDQ) halibut and sablefish Program, American Fisheries Act Program, and the Aleutian Islands Pollock Program) with existing cost recovery collections: Individual Fishing Quota (IFQ) Program (OMB 0648-0398); Crab Rationalization (CR) Program (OMB 0648-0570); and Rockfish Program (OMB 0648-0545) and the Observer Program fee submittal (OMB 0648-0318).

BACKGROUND

Under the [Magnuson-Stevens Fishery Conservation and Management Act](#), 16 U.S.C. 1801 et seq. (Magnuson-Stevens Act), the Secretary of Commerce (Secretary) is responsible for the conservation and management of marine fishery resources within the Exclusive Economic Zone (EEZ) of the United States (U.S.) through National Oceanic and Atmospheric Administration (NOAA)/National Marine Fisheries Service (NMFS). NMFS Alaska Region manages the groundfish fisheries in the EEZ of the Bering Sea and Aleutian Islands Management Area (BSAI) and Gulf of Alaska (GOA) under fishery management plans for groundfish in the respective areas by the North Pacific Fishery Management Council (Council).

The U.S. Congress amended Section 313(j) of Magnuson-Stevens Act to mandate the Secretary to implement the Crab Rationalization Program for the Bering Sea and Aleutian Islands Management Area crab fisheries (CR Program). The CR Program allocates BSAI crab resources among harvesters, processors, and coastal communities. The Council prepared, and NMFS approved, the Fishery Management Plan for BSAI King and Tanner Crabs. 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.

Regulations implementing the FMPs appear at [50 CFR part 679](#) and [part 680](#).

INTRODUCTION

The Magnuson-Stevens Act both authorizes and requires the collection of cost recovery fees for Limited Access Privilege (LAP) programs and CDQ programs. Magnuson-Stevens Act cost recovery fees may not exceed three percent of the ex-vessel value, and must recover costs associated with the management, data collection, and enforcement of these programs that are directly incurred by government agencies tasked with overseeing these fisheries.

There are currently three cost recovery programs in place for LAP program fisheries off Alaska's coast. Those are the Halibut and Sablefish IFQ program, Rockfish program, and the Crab Rationalization program. In addition, cost recovery fees would be collected from the American Fisheries Act (AFA) cooperatives, the Aleut Corporation, Amendment 80 cooperatives, and six Western Alaska Community Development Quota (CDQ) groups. The cost recovery fee

percentage would be determined annually by the Regional Administrator of the NMFS Alaska Region and published in a Federal Register notice. Along with the fee percentage, standard ex-vessel prices will be reported in a Federal Register notice for each species directly allocated to the LAP programs or CDQ programs.

Three methods are used to determine standardized prices.

- ◆ Volume and Value reports for all species except CDQ halibut, fixed gear sablefish, and pollock.
- ◆ Current IFQ cost recovery reporting system to determine halibut and fixed gear sablefish standard ex-vessel prices.
- ◆ State of Alaska Commercial Operator's Annual Report (COAR) data currently being submitted to the State of Alaska to estimate standard prices. AFA and Aleutian Islands pollock prices will be based on COAR reports to estimate inshore ex-vessel prices using information from the previous year, as requested by members of the AFA.

NMFS Alaska Region previously established cost recovery fee programs to implement the requirements of section 304(d)(2) of the Magnuson-Stevens Act for the following fisheries:

- ◆ North Pacific Region Halibut and Sablefish Individual Fishing Quota Program (65 FR 14919, March 20, 2000); see OMB Control No. 0648-0398
- ◆ Crab Rationalization Program (70 FR 10174, March 2, 2005); see OMB Control No. 0648-0570
- ◆ Rockfish Program (76 FR 81248, December 27, 2011); see OMB Control No. 0648-0545

A. JUSTIFICATION

Combined into this collection are:

- ◆ OMB Control No. 0648-0398: this collection will be discontinued after the new cost recovery information collection is approved by OMB.
IFQ fee submission form
IFQ Registered Buyer Ex-vessel Volume and Value Report (Buyer Report)
- ◆ OMB Control No. 0648-0570: this collection will be discontinued after the new cost recovery information collection is approved by OMB.
RCR fee submission form
CR Registered Crab Receiver (RCR) Ex-vessel Volume and Value Report
- ◆ OMB Control No. 0648-0545: this collection is revised to remove
Rockfish fee submission form

Rockfish Ex-vessel Volume and Value Report

- ◆ OMB Control No. 0648-0318: this collection is revised to remove Observer fee submission form
- ◆ New -- CDQ groundfish & halibut: added with this action CDQ groundfish and halibut fee submission form
- ◆ New -- Amendment 80: added with this action Amendment 80 fee submittal form
- ◆ New -- American Fisheries Act: added with this action AFA fee submittal form
- ◆ New -- Aleutian Islands Pollock: added with this action Aleutian Islands fee submittal form

One online location, eFISH, is currently available for participants to pay fees for existing Alaska cost recovery programs and observer fees and will be available for the new programs. eFISH is NMFS Alaska Region's online Fisheries Information System which, in addition to providing a method to pay cost recovery fees, provides online access to participants' NMFS permit accounts. This online access allows participants to: check account balances, vessel balances, and landing ledger reports; quota share holdings reports, processor quota share holding reports from various fisheries; report landings; conduct quota transfers; renew certain fishery permits; submit ex-vessel value and volume reports; report a Guided Angler Fish (GAF) landing; and check a GAF permit balance.

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

The objective of the proposed action is to meet the mandates of the Magnuson-Stevens Act that requires cost recovery fees to be collected for all LAP programs and CDQ programs.

NMFS will create one information collection for Alaska cost recovery programs by combining all of the existing, authorized cost recovery programs required in section 304(d)(2) of the Magnuson-Stevens Act and by adding the CDQ Program for halibut and sablefish and the three limited access privilege programs, the AFA Program, Aleutian Islands (AI) Pollock Program, and Amendment 80 Program.

Each year by December 1, NMFS would send each permit holder or their designated representative a fee liability summary letter for the fees required for that year. The fee liability summary letter would calculate each permit holders' fee liability. The fee liability would be calculated by NMFS based on:

- ◆ the standard price determined by using data from the applicable volume and value report, IFQ Buyer Report, or the COAR;

- ◆ the total amount of landings by a permit holder from January 1 through November 30 of that year;
- ◆ NMFS’s estimate of landings for a permit holder from December 1 through December 31 of that year; and
- ◆ NMFS’ actual costs from October 1 of the previous calendar year through September 30 of the current calendar year.

The total cost recovery fee would need to be submitted electronically to NMFS no later than December 31 of the calendar year in which the landings were made.

NMFS proposes using standardized ex-vessel prices instead of actual prices, which could vary by entity required to submit the cost recovery fee. The use of actual ex-vessel prices would require that persons subject to cost recovery fees document and report all landings and values of ex-vessel sales (or projected sales values). It also means that individuals within a cooperative could have different ex-vessel prices. This detailed collection of data would increase the cost, complexity, and burden of the program. Based on experience with the halibut and sablefish IFQ program, where IFQ holders may use either standard ex-vessel prices generated by NMFS or actual ex-vessel prices, very few IFQ holders subject to fee collection have used actual prices. The BSAI crab fee collection program does not provide for the use of actual ex-vessel price and NMFS applies a standard price to crab landings on a monthly basis.

Prices will be determined using different methods for CDQ halibut and sablefish, the AFA/AI pollock fishery, and the Amendment 80 program. Different methods are used for the various species (and LAP programs) because of the data collection programs that are currently in place, and the need to supplement those data with additional data collection programs, to ensure the estimates are fair and equitable among the persons paying the proposed fees.

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.

Collections Combined into This Collection

The new cost recovery programs will be accessed online only and the Observer Program fee program also is accessed online only. The IFQ Program and Crab Rationalization Program offer other methods for payment, in addition to online submittal.

- 0648-0398:** North Pacific Region Halibut and Sablefish Individual Fishing Quota Program
- 0648-0570:** Crab Rationalization Program
- 0648-0545:** Rockfish Program √ online only
- 0648-0318:** Observer Program fee √ online only
- New: CDQ groundfish & halibut √ online only
- New: Amendment 80 √ online only

New: American Fisheries Act ✓ online only
New: Aleutian Islands Pollock ✓ online only

To obtain access to the online system, eFISH, a program participant enters the NMFS ID and password issued by NMFS. Upon successful login at <https://alaskafisheries.noaa.gov/webapps/efish/login>, the participant then selects the appropriate screen to enter data for a cost recovery program or observer fee. Distinct labels identify the program for which the fee is being paid. Examples of the fee screens are shown below.

Any permit holder who has incurred a fee liability would be required to pay the fee electronically to NMFS by December 31 of the year in which the landings were made. A permit holder would need to ensure full payment for their cost recovery fee liability by December 31 of the year in which the landings were made.

Contacts NOAA Site Navigation Account Menu Help Logout

CRAB RATIONALIZATION COST RECOVERY FEES

Fee Summary

NMFS Id:	14-10
Due Date:	2014-07-31
Fee Percentage for 2013:	0.69
<hr/>	
Principal Due:	\$0.00
Interest Due:	\$0.00
Penalties Due:	\$0.00
Admin Fees:	\$0.00
<hr/>	
Amount Paid:	\$0.00
<hr/>	
Balance Due:	\$0.00

Cost Recovery Fee Payment

Payment Options:	Credit Card ▼
Payment Amount:	<input type="text"/>
<input type="button" value="Submit Payment"/>	

 CSV XLS

NOTE: Credit Card payments cannot exceed \$49,999.

OBSERVER FEES
06/23/2014 10:11AM, 1985

Fee Liability Summary

NMFS Id:	[REDACTED]
Due Date:	2014-02-15
Fee Percentage for 2013:	1.25
Fee Liability Due:	\$2,500.00
Additional Charges:	\$246.44
Adjustments:	\$0.00
Amount Paid:	\$1,682.60
Balance Due:	\$1,063.84

CSV
 XLS

Fee Transactions

Date	Type	Method	Amount
2014-01-09	INV	FEE	2500
2014-01-23	PAY	CC	1678.6
2014-09-01	CHRG	AD	2.22
2014-09-01	CHRG	IN	222.22

Observer Program Fee Payment

Payment Options: Credit Card

Payment Amount:

NOTE: Credit Card payments cannot exceed \$49,999.

a. Cost recovery fee or Observer fee

Observer Program Fees (\$ 679.55) [WAS PART OF 0648-0318]

For 2013, the first year of the new Observer Program, NMFS used Federal funds to pay for observers in the partial coverage category. As of 2014, NMFS pays for these observers with money collected from fishery participants in the partial coverage category. NMFS charges all fishery participants an observer fee of 1.25% of the ex-vessel value of the groundfish and halibut subject to the fee. NMFS uses fee proceeds to contract with an observer provider who provides observers to vessels and processing plants that have been selected for observer coverage.

Vessels and processing plants in the full coverage category directly pay observer providers for the observer on their vessel or in their plant.

Processors and Registered Buyers are required to pay an ex-vessel value-based fee to NMFS to support the funding and deployment of observers on vessels and in processing plants in the partial coverage category. The fee is split evenly between the vessel owner/operator and processor or Registered Buyer. Ex-vessel value is based on standard ex-vessel prices from prior years. The fee liability started to accrue on January 1, 2013. The first fee submission by processors and Registered Buyers for 2013 landings was due to NMFS by February 15, 2014.

The owner of a shoreside processor or a stationary floating processor named on a Federal Processing Permit (FPP) or a person named on a Registered Buyer permit at the time of the landing must submit electronically to NMFS the payment to support the funding and deployment of observers on vessels and in plants in the “partial observer coverage category.”

Deadline: no later than **February 15** of the calendar year in which the landings were made.

The new funding and deployment system allows NMFS to determine when and where to deploy observers according to management and conservation needs, with funds provided through a system of fees based on the ex-vessel value of groundfish and halibut in fisheries covered by the new system. The implementation of eLandings in the groundfish and halibut fisheries provides an automated system for determining an operation's ex-vessel value-based observer fee liability. Ex-vessel value refers to the price paid to fishermen for their raw, unprocessed catch.

This fee is paid exclusively by catcher vessels and FPP holders in the partial observer coverage category.

The payment must be submitted electronically by one of the methods listed below:

- ◆ Pay ONLINE. Payments may be made by electronic check through the NMFS Alaska Region secure, on-line system, eFISH, at <https://alaskafisheries.noaa.gov/webapps/efish/login>. On-line payments are processed through Pay.gov, a secure system for electronic payments used by many government agencies. Instructions for electronic payment are available on the payment website.
- ◆ Wire money by filling out the FEDWIRE form and wiring money from your bank.

Full payment of the observer fee liability is required before NMFS will issue a new or renewed FPP or Registered Buyer permit.

Cost recovery fee program for IFQ Program (§ 679.5(1)(7)) [WAS 0648-0398]

An IFQ permit holder who holds an IFQ permit against which a landing was made must submit a complete paper or electronic fee submission form to NMFS.

Deadline: no later than January 31 following the calendar year in which any IFQ landing was made.

The IFQ Program offers various ways to pay the fee:

- ◆ Pay ONLINE. Payments must be paid by electronic check through the NMFS Alaska Region secure, on-line system, eFISH, at <https://alaskafisheries.noaa.gov/webapps/efish/login>. On-line payments are processed through Pay.gov. Instructions for electronic payment are available on the payment website. If paid online, the fee form is not submitted.
- ◆ Fill out the Fee Submission form and mail or courier the form with a check or money order made payable to:
 - NMFS
 - NOAA Fisheries - OMI
 - P.O. Box 21668
 - Juneau, AK 99802-1668

- ◆ Call RAM at: (800) 304-4846 (#5) or (907) 586-7202 (#5). In cases of credit card payment, the transaction may be done over the telephone and a fee form is not submitted.
- ◆ Prepayment of fees. NMFS also provides an option for participants to pay amounts during the fishing year toward the fee. The summary which NMFS provides, in this case, would also show the amounts paid and the amount still due, if any.

Cost recovery fee program for Rockfish (§ 679.5(r)) [WAS PART OF 0648-0545]

A rockfish cooperative quota (CQ) permit holder must submit any rockfish cost recovery fee liability payment(s) by electronic check through the NMFS Alaska Region secure, on-line system, eFISH, at <https://alaskafisheries.noaa.gov/webapps/efish/login>. On-line payments are processed through Pay.gov. Instructions for electronic payment are available on the payment website. **Deadline:** no later than February 15 of the year following the calendar year in which the rockfish CQ landings were made.

Cost recovery fee program for CR crab (§ 680.5(g)) [WAS 0648-0570]

Each Registered Crab Receiver (RCR) who receives any CR crab pursuant to § 680.44 must submit any CR crab cost recovery fee liability payment(s) to NMFS by one of the methods listed below.

Deadline: no later than July 31 following the crab fishing year in which the CR crab landings were made.

- ◆ Pay ONLINE. Payments must be paid by electronic check through the NMFS Alaska Region secure, on-line system, eFISH, at <https://alaskafisheries.noaa.gov/webapps/efish/login>. On-line payments are processed through Pay.gov. Instructions for electronic payment are available on the payment website.
- ◆ Wire money by filling out the FEDWIRE form and wiring money from your bank.
- ◆ Fill out the Fee Submission form, and mail or courier the form with check or money order made payable to NMFS. Mail to:

Troie Zuniga, Fee Coordinator
NOAA Fisheries, NMFS, OMD
P.O. Box 21668
Juneau, AK 99802-1668

Cost recovery fee program for CDQ groundfish and halibut (§ 679.33) [NEW]

A CDQ group representative must submit all CDQ fee liability payment(s) to NMFS. Payments must be paid by electronic check through the NMFS Alaska Region secure, on-line system, eFISH, at <https://alaskafisheries.noaa.gov/webapps/efish/login>. On-line payments are processed

through Pay.gov. Instructions for electronic payment are available on the payment website and a fee liability summary letter mailed by NMFS to the CDQ group representative.

Deadline: no later than December 31 of the calendar year in which the CDQ groundfish and halibut landings were made.

NMFS will not approve any application to transfer CDQ to or from a CDQ group nor approve any allocations of groundfish or halibut until the CDQ group representative submits full payment of that CDQ group's complete fee liability.

Cost recovery fee program for AFA pollock cost recovery (§ 679.66) [NEW]

All AFA cooperative representatives (AFA inshore cooperative, AFA mothership cooperative, and the listed AFA catcher/processors and high seas catcher vessels that deliver to them) must submit all AFA fee liability payment(s) for all Bering Sea pollock landings by electronic check through NMFS Alaska Region secure, on-line system, eFISH at <https://alaskafisheries.noaa.gov/webapps/efish/login>. On-line payments are processed through Pay.gov. Instructions for electronic payment are available on both the payment website and a fee liability summary letter mailed by NMFS to the AFA cooperative representative.

Deadline: no later than December 31 of the calendar year in which the Bering Sea pollock landings were made.

An AFA cooperative will not receive its allocations of pollock until the AFA cooperative representative submits full payment of that cooperative's complete fee liability.

Cost recovery fee program for Aleutian Islands pollock (§ 679.67) [NEW]

The authorized representative designated by the Aleut Corporation for Aleutian Islands pollock must submit the cost recovery payment by electronic check through NMFS Alaska Region secure, on-line system, eFISH at <https://alaskafisheries.noaa.gov/webapps/efish/login>. On-line payments are processed through Pay.gov. Instructions for electronic payment are available on both the payment website and a fee liability summary letter mailed by NMFS to the Aleutian Islands pollock representative.

Deadline: no later than December 31 of the calendar year in which the Aleutian Islands pollock landings were made.

Cost recovery fee program for Amendment 80 (§ 679.95) [NEW]

All Amendment 80 cooperative representatives must submit the cost recovery payment for all Amendment 80 CQ landings by electronic check through NMFS Alaska Region secure, on-line system, eFISH at <https://alaskafisheries.noaa.gov/webapps/efish/login>. On-line payments are processed through Pay.gov. Instructions for electronic payment are available on both the payment website and a fee liability summary letter mailed by NMFS to the Amendment 80 CQ permit holder.

Deadline: no later than December 31 of the calendar year in which the Amendment 80 CQ landings were made.

If an Amendment 80 cooperative representative fails to submit full payment by the Amendment 80 fee liability payment deadline:

- ◆ No Amendment 80 CQ permit will be issued to that Amendment 80 cooperative for the following calendar year; and
- ◆ No Amendment 80 CQ will be issued based on the Amendment 80 QS held by the members of that Amendment 80 cooperative to any other CQ permit for that calendar year.

The cost recovery fee does not include the observer coverage fee; these fees are not duplicative.

Cost Recovery Fee or Observer Fee, respondents	
Total number of respondents	2,171
2,024 IFQ sablefish and halibut	
6 CDQ groundfish and halibut	
9 Rockfish	
20 RCR crab	
9 AFA pollock	
1 Aleutian Islands pollock	
2 Amendment 80 cooperative	
100 partial observer coverage fee	
Total number of responses	2,171
Response per participant = 1	
Total Time burden (36.18)	36 hr
Time per response = 1 minute	
Total personnel costs (\$37/hr x 36)	\$1,332
Total miscellaneous costs (513.75)	\$514
Submit by mail (.45 x 133 = 59.85)	
Submit online (0.05 x 2000 = 100)	
Prepay by mail (38 x .90 x 4 times/yr = 136.80)	
Photocopy (0.05 x 2pp x 2171 =217.10)	

The table below summarizes the types of incremental costs that NMFS incurs in the management of the CDQ groundfish and halibut, AFA, Aleutian Islands pollock, and Amendment 80 Programs.

Summary of the types of incremental costs associated with cost recovery programs.

Cost	Example
Equipment Inspections	Inspecting at-sea scales that are required and implemented as part of the a cost recovery program to accurately weight harvests (e.g., AFA catcher/processors, Amendment 80 vessels)
Information collection and data management	Creating and maintaining software programs necessary to track the use of exclusive harvest privileges allocated under a program subject to cost recovery
Rulemaking	Labor costs associated with developing and implementing regulations that modify a program subject to cost recovery
Investigations	Investigating and enforcing violations associated with a cost recovery program (e.g., costs incurred investigating and enforcing provisions intended to limit the maximum permissible amount of quota share a person may hold and use)
Staff meeting travel and outreach	Attending and participating in meetings required to address issues related to a cost recovery meeting (e.g., travel associated with providing outreach on new regulatory provisions applicable to a program subject to cost recovery).
Catch accounting	Modifying catch accounting to specifically track the use of exclusive harvest privileges.
Catch monitoring	Deploying staff to monitor and track catch for a program subject to a cost recovery program (e.g., the Catch Monitoring and Control Plan Specialist used to monitor catch in the Rockfish Program)

NMFS does not currently account for incremental costs for each of these programs, because no cost recovery fee program is in place for these programs. NMFS has provided estimates of costs for managing the CDQ groundfish and halibut, AFA, Aleutian Islands pollock, and Amendment 80 Programs based on the best available information, but lacks information to provide more precise estimates. NMFS would provide a detailed accounting of costs once this rule became effective, if approved.

NMFS would capture the incremental costs of managing the fisheries through an established accounting system that allows NMFS to track labor, travel, and procurement. This accounting system for management costs is consistent with the methods NMFS uses to account for costs in the Halibut and Sablefish IFQ Program, Crab Rationalization Program, and Rockfish Program. NMFS would perform a similar function for the proposed fee collections.

Cost Recovery Fee or Observer Fee, Federal Government	
Total number of responses	2,171
Total time burden (36.18)	36 hr
Time requirement per response (1 min)	
Total personnel cost (\$37/hr x 36)	\$1,332
Total miscellaneous costs	0

b. Value & Volume Report

IFQ Registered Buyer Ex-vessel Volume & Value Report (IFQ Buyer Report)(\$679.5(1)(7)

An IFQ Registered Buyer that operates as a shoreside processor and receives and purchases IFQ landings of sablefish or halibut or CDQ landings of halibut must submit annually to NMFS a complete IFQ Buyer Report.

Deadline: no later than October 15 following the reporting period in which the IFQ Registered Buyer receives the IFQ fish or CDQ halibut.

NMFS will calculate the CDQ standard prices for CDQ halibut and CDQ fixed gear sablefish to reflect, as closely as possible by port or port-group, the variations in the actual ex-vessel values of CDQ halibut and fixed-gear sablefish based on information provided in the IFQ Registered Buyer Ex-vessel Volume and Value Report.

Rockfish Ex-vessel Volume and Value Report (§679.5(r)(10))

A rockfish processor that receives and purchases landings of rockfish CQ groundfish must submit annually to NMFS a complete Rockfish Ex-vessel Volume and Value Report.

Deadline: no later than December 1 of the year in which the rockfish processor received the rockfish CQ groundfish.

CR Registered Crab Receiver (RCR) Ex-vessel Volume and Value Report (§680.5(m))

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

Deadline: no later than May 15 of the reporting period in which the RCR received the CR crab.

Pacific Cod Ex-vessel Volume and Value Report (§679.5(u)(1))

A Shoreside processor designated on a Federal Processor Permit (FPP) or a mothership that holds a Federal Fisheries Permit (FFP) and that process landings of either CDQ Pacific cod or BSAI Pacific cod harvested by a vessel using trawl gear must submit annually to NMFS a Pacific Cod Ex-vessel Volume and Value Report for each reporting period for which the shorebased processor or mothership receives this Pacific cod. The reporting period of the Pacific Cod Ex-vessel Volume and Value Report shall extend from January 1 to October 31 of the year in which the landings were made.

NMFS will use the standard prices calculated for Pacific cod based on information provided in the Pacific Cod Ex-vessel Volume and Value Report described at § 679.5(u)(1).

Deadline: no later than November 10 of the year in which the processor or mothership received the Pacific cod.

First Wholesale Volume and Value Report ((§679.5(u)(2))

An Amendment 80 vessel owner that harvests Amendment 80 species, other than Pacific cod, must submit annually to NMFS a complete First Wholesale Volume and Value Report for each reporting period for which the Amendment 80 vessel harvests Amendment 80 species, other than Pacific cod.

The Regional Administrator will base Amendment 80 standard prices for all Amendment 80 species other than Pacific cod on the First Wholesale Volume and Value reports on an annual basis. The reporting period for all species except rock sole shall extend from January 1 to October 31 of the year in which the landings were made.

Rock sole is allocated to and harvested by vessels participating in Amendment 80 cooperatives. Rock sole volume and value reports would be reported once each year, but fees would be assessed based on the volume and value of landings of rock sole that occur in the first quarter of the year (January 1 through March 31), and fees would be assessed based on the aggregated volume and value of landings in the last three quarters of the year (April 1 through December 31). The difference in reporting requirements for rock sole arises from the need to capture significant differences in price and value in the rock sole that are landed in the first quarter of the year compared to the price and value in the remaining part of the year. The first reporting period for rock sole shall extend from January 1 to March 31, and the second reporting period shall extend from April 1 to October 31.

Deadline: no later than November 10 of the year in which the Amendment 80 vessel received the Amendment 80 species, other than Pacific cod.

Value & Volume Report, Respondents	
Total number of respondents	187
154 (142+6 IFQ sablefish and halibut + 6 CDQ groundfish and halibut uses IFQ Buyer Report	
0 AFA pollock uses COAR	
0 Aleutian Islands pollock uses COAR	
2 Amend 80 coop uses Pcod report for Pcod	
2 Amend 80 coop uses First wholesale report for rest	
20 RCR crab	
9 Rockfish	
0 Observer Program uses eLandings	
Total number of responses	187
Response per participant = 1	
Total Time burden (3.17)	3 hr
Time per response = 1 minute	
Total personnel costs (\$37/hr x 3)	\$111
Total miscellaneous costs (21.10)	\$21
Submit by mail (.45 x 6 = 2.70)	
Submit online (0.05 x 181 = 9.05)	
Photocopy (0.05 x 187 =9.35)	

Value & Volume Report, Federal Government	
Total number of responses	187
Total time burden (3.17)	3 hr
Time requirement per response (1 min)	
Total personnel cost (\$37/hr x 3)	\$111
Total miscellaneous costs	0

c. Appeals

Any representative who receives an IAD for incomplete payment of a cost recovery fee or observer fee may appeal under the appeals procedures set out in 15 CFR part 906.

The Cost Recovery Program provides for appeal on decisions made by NMFS through the National Appeals Office (NAO, formerly known as the Office of Administrative Appeals [OAA]). Any person whose interest is directly and adversely affected by an initial administrative determination (IAD) may file a written appeal. If an applicant appeals an IAD, the appeal must be filed not later than 60 days after the date the determination is issued.

Instructions for submitting an appeal are provided at <http://www.alaskafisheries.noaa.gov/appeals/default.htm>. Appeals must be in writing and must be submitted

By mail to National Marine Fisheries Service
 Office of Administrative Appeals (OAA)
 P. O. Box 21668,
 Juneau, AK 99802-1668

Or by courier to National Marine Fisheries Service
 Attention: Appeals (OAA)
 709 West 9th St., Room 453
 Juneau, AK 99801

Applicants must timely submit a full written statement in support of the appeal, including a concise statement of the reasons the IAD has a direct and adverse effect on the applicant and should be reversed or modified. If the applicant requests a hearing on any issue presented in the appeal, such request for hearing must be accompanied by a concise written statement raising genuine and substantial issues of adjudicative fact for resolution and a list of available and specifically identified reliable evidence upon which the factual issues can be resolved. The appellate officer will limit his/her review to the issues stated in the appeal; all issues not set out in the appeal will be waived. The appellate officer will review the applicant’s appeal and request for hearing. An appellate officer’s decision takes effect 30 days after it is issued and, upon taking effect, is the final agency action for purposes of judicial review.

File an Appeal, Respondent	
Number of respondents	1
Total annual responses	1
Frequency of response = 1	
Total burden hours	4 hr
Time per response = 4 hr	
Total personnel costs (\$37 x 4)	\$148
Total miscellaneous costs (\$1.65)	\$2
Postage (\$1.35 x 1 = \$1.35)	
Photocopy (6pp x 1 x 0.05 = \$0.30)	

File an Appeal, Federal Government	
Total annual responses	1
Total burden hours	4 hr
Time per response = 4 hr	
Total personnel costs (\$75 x 4)	\$300
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 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.

NMFS proposes to collect all fees electronically in U.S. dollars by automated clearing house or electronic check drawn on a U.S. bank account. The use of electronic payment of cost recovery fees would reduce the administrative costs of processing payments, and provides an efficient method for permit holders to submit fees.

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.

One action is considered under this amendment. That action would implement a cost recovery program for the Amendment 80 program, the CDQ Groundfish or Halibut/Sablefish programs, the American Fisheries Act, and the Aleutian Islands Pollock programs. The entities that receive an allocation under those programs or first wholesale buyers of those fish that are required to submit a Volume and Value report are directly regulated by this proposed action.

The entities directly regulated by this action are those entities that participate in harvesting groundfish from the AFA pollock, AI pollock, Amendment 80, and CDQ allocations from the BSAI. Fishing vessels are considered small entities if their total annual gross receipts, from all activities, are less than \$20.5 million or are not affiliated with a fishing cooperative. None of the harvesting vessels that are members of a cooperative and are directly regulated by this action are considered small entities, because their cooperative affiliation results in them exceeding the \$20.5 million threshold.

Vessels in the AFA and Amendment 80 programs are categorized as “large entities” for the purpose of the RFA under the principles of affiliation, resulting from being part of cooperatives. Vessels harvesting CDQ allocations are not directly regulated, since only the six CDQ groups are directly regulated by this action.

Through the CDQ program, the Council and NMFS allocate a portion of the BSAI groundfish TACs, and prohibited species halibut and crab PSC limits, to 65 eligible Western Alaska

communities. These communities work through six non-profit CDQ Groups and are required to use the proceeds from the CDQ allocations to start or support activities that will result in ongoing, regionally based, commercial fishery or related businesses. The 65 CDQ communities are not directly regulated. Because they are nonprofit entities, the six CDQ groups are considered small entities for RFA purposes. They are the only small entities subject to this action.

The Aleut Corporation is not considered a small entity. The Aleut Corporation gross revenues are typically in excess of \$100 million annually. Their 2011 annual report shows revenues between the corporation's FY2007 and FY2011 over \$100 million each year. The Aleut Corporation is it a holding corporation (NAICS 55112). The SBA defines these types of entities as a small entity if they generate less than \$19 million annually in total gross revenue. However, if the Aleut Corporation is considered a fishing entity, the revenues from affiliated businesses would easily generate revenues over the \$20.5 million threshold.

The AFA and Amendment 80 fisheries cooperatives are directly regulated, since they are required to pay the cost recovery fee. The entities affiliated through the cooperative programs are large entities. In 2014, there were seven inshore AFA cooperatives, one AFA CP cooperative, and one AFA mothership cooperative. There were also two Amendment 80 cooperatives, the Alaska Seafood Cooperative (formerly the Best Use Cooperative) and the Alaska Groundfish Cooperative.

In addition to the persons listed above, the processors that purchase landings of CDQ BSAI Pacific cod from catcher vessels are subject to the proposed cost recovery fees would be required to submit an Ex-vessel Volume and Value Report. None of these processors are considered small entities, under the SBA definitions. For Pacific cod, it would include processors taking deliveries of CDQ Pacific cod (nine processors) and trawl caught BSAI Pacific cod (an additional 15 processors). Finally, all catcher/processor harvesting species (other than pollock and Pacific cod) allocated to the programs subject to the proposed cost recovery fee, would be required to submit a First Wholesale Volume and Value Report for those species. These catcher/processors are already included in the description of the Amendment 80 fleet. None of these processors is considered a small entity.

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

NMFS collects cost recovery fees at the end of a year to recover costs incurred by the agency for program management in that same year. A permit holder incurs a cost recovery fee liability for every pound landed on his or her permit(s). The permit holder is responsible for self-collecting the fee liability for all landings on his or her permit(s). The fee liability is based on the sum of all payments made to fishermen for the sale of the fish during the year. This includes any retro-payments (e.g., bonuses, delayed partial payments, post-season payments) made to the permit holder for previously landed fish.

The use of actual ex-vessel prices would require that persons subject to cost recovery fees document and report all landings and values of ex-vessel sales (or projected sales values). Prices will be determined using different methods for CDQ halibut and sablefish, the AFA/AI pollock

fishery, and the Amendment 80 program. Different methods are used for the various species (and LAP programs) because of the data collection programs that are currently in place, and the need to supplement those data with additional data collection programs, to ensure the estimates are fair and equitable among the persons paying the proposed fees.

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.

The NMFS Alaska Region will submit a proposed rule, RIN 0648-BE05, coincident with this submission, requesting comments from the public.

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

No payment or gift is provided.

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

Data from ports are combined as necessary to protect confidentiality. Confidential data means data that are identifiable with any person, accepted by the Secretary, and prohibited by law from being disclosed to the public.

The 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.

All information collected is part of a Privacy Act System of Records Notice, NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries

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 respondents: 2,171. Estimated total responses: 2,359. Estimated total burden: 43 hr. Estimated total personnel cost: \$1,591.

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 cost: \$537.

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

Estimated number of responses: 2,359. Estimated total burden: 43 hr. Estimated total personnel cost: \$1,743.

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

This is a new program.

Fee Submission

an increase of 2,171 respondents and responses, 2,171 instead of 0
an increase of 36 hours, 36 instead of 0
an increase of \$1,332 personnel costs, \$1,332 instead of \$0
an increase of \$514 miscellaneous costs, \$514 instead of \$0

Value & Volume Report

an increase of 187 respondents and responses, 187 instead of 0
an increase of 3 hours, 3 instead of 0
an increase of \$144 personnel costs, \$111 instead of \$0
an increase of \$21 miscellaneous costs, \$21 instead of \$0

Appeals

an increase of 1 respondent and response, 1 instead of 0
an increase of 4 hours, 4 hr instead of 0
an increase of \$148 personnel costs, \$148 instead of \$0
an increase of \$2 miscellaneous costs, \$2 instead of \$0

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

NMFS publishes standard prices during the last quarter of each calendar year for use in the calculation of fees by individual participants. NMFS calculates the standard prices to closely reflect the variations in the actual ex-vessel values of landings by month and port or port group. These standard prices are used, along with estimates of landings, to calculate standard values.

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.