

**SUPPORTING STATEMENT**  
**ALASKA PACIFIC HALIBUT AND SABLEFISH FISHERIES:**  
**INDIVIDUAL FISHING QUOTA (IFQ) COST RECOVERY**  
**OMB CONTROL NO. 0648-0398**

This request is for extension of this information collection; although this collection will be removed and replaced by a new cost recovery program in the near future.

**INTRODUCTION**

The International Pacific Halibut Commission (IPHC) and National Marine Fisheries Service (NMFS) manage fishing for Pacific halibut (*Hippoglossus stenolepis*) through regulations established under the authority of the Convention between the United States Halibut Fishery of the Northern Pacific Ocean and Bering Sea (Convention) and the Northern Pacific Halibut Act of 1982 (Halibut Act). The North Pacific Fisheries Management Council manages the fixed gear Pacific halibut Individual Fishing Quota (IFQ) Program.

NMFS Alaska Region administers the IFQ Program (see OMB Control No. 0648-0272) in the North Pacific. The IFQ Programs are limited-access systems authorized by the [Magnuson–Stevens Fishery Conservation and Management Act](#), 16 U.S.C. 1801 *et seq.* (Magnuson–Stevens Act), as amended in 2006 and the [Halibut Act](#).

**BACKGROUND**

The IFQ Cost Recovery Program incorporates the following elements designed to minimize negative impacts on small entities.

- ◆ The fee applies only to IFQ halibut and sablefish landings, and not to all species landed by IFQ fishermen.
- ◆ Fishermen may choose whether to use actual or standard ex-vessel value of their IFQ landings whenever possible.
- ◆ Standard prices are primarily based on current year ex-vessel prices rather than previous year ex-vessel prices, and are refined to represent ex-vessel prices by species, by month, and by port-group.

## A. JUSTIFICATION

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

The purpose of the IFQ fee is to recover actual costs incurred in managing and enforcing the IFQ Program (75%) and to make funds available for Congress to appropriate for support of the North Pacific IFQ Loan Program (25%).

### 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.

An IFQ permit holder incurs a cost recovery fee liability for every pound of IFQ halibut and IFQ sablefish that is landed under his or her IFQ permit(s). The IFQ permit holder is responsible for self-collecting the fee liability for all IFQ halibut and IFQ sablefish landings on his or her permit(s). Fees must be collected at the time of a legal landing of halibut or sablefish, filing of a landing report, or sale of such fish during a fishing season or in the last quarter of the calendar year in which the fish is harvested.

For purposes of calculating IFQ cost recovery fees, NMFS distinguishes between two types of ex-vessel value: actual and standard. Actual ex-vessel value is the amount of all compensation, monetary or non-monetary, that an IFQ permit holder received as payment for his or her IFQ fish. Standard ex-vessel value is the default value on which to base fee liability calculations. IFQ permit holders have the option of using actual ex-vessel value if they can satisfactorily document it; otherwise, the standard ex-vessel value is used. NMFS annually sets a fee percentage for sablefish and halibut IFQ holders that is based on the actual annual costs associated with certain management and enforcement functions, as well as the standard ex-vessel value of the catch subject to the IFQ fee for the current year.

#### a. **IFQ Registered Buyer Ex-vessel Value and Volume Report (Buyer Report).**

An IFQ Registered Buyer that also operates as a shoreside processor and receives and purchases IFQ landings of sablefish or halibut must submit annually a complete IFQ Buyer Report for each reporting period in which the Registered Buyer receives IFQ fish. The Buyer Report is due to NMFS no later than October 15 following the reporting period in which the Registered Buyer receives the IFQ fish.

Through this report, Registered Buyers provide monthly IFQ landings information and value paid to IFQ permit holders for those landings. This information enables NMFS to establish annual standard ex-vessel values for halibut and sablefish based on the location (regionality) and timing (seasonality) of the landings.

#### **IFQ Registered Buyer Ex-vessel Volume and Value Report**

Block A. Identification of Registered Buyer

If Registered Buyer performed shoreside activity during the current IFQ fishing year, continue.

**If NO**, stop, you are not required to submit this report

Name and NMFS person ID number

Registered buyer permit number

Taxpayer ID (employer ID number or social security number)

Business mailing address, indicate whether business address is permanent or temporary

Business telephone number, fax number, and e-mail address (if any)

Facility or vessel location (port location)

**Block B. Pounds purchased and value report**

Halibut

Pounds purchased (headed/gutted)

Total gross ex-vessel value paid

Sablefish

Pounds purchased (round weight)

Total gross ex-vessel value paid

**Block C. Certification**

Printed name and signature of IFQ Registered Buyer and date signed

If representative, attach authorization

Miscellaneous cost is changed to 0 because this report must be submitted online.

<b>IFQ Registered Buyer Ex-vessel Value and Volume Report, Respondent</b>	
<b>Number of respondents</b>	<b>125</b>
<b>Total annual responses = 1</b>	<b>125</b>
<b>Total burden time</b>	<b>250 hr</b>
Estimated time per response = 2 hours	
<b>Total personnel cost</b>	<b>\$7,100</b>
<b>Total miscellaneous cost (0)</b>	<b>0</b>
Submit online	

<b>IFQ Registered Buyer Ex-vessel Value and Volume Report, Federal Government</b>	
<b>Total annual responses</b>	<b>125</b>
<b>Total time burden</b>	<b>0</b>
Estimated time per response = 0 (online)	
<b>Total personnel cost</b>	<b>0</b>
<b>Total miscellaneous cost</b>	<b>0</b>

**b. IFQ Permit Holder Fee Submission**

An IFQ permit holder who holds an active IFQ permit (a permit against which a landing was made) must submit to NMFS a complete IFQ permit holder Fee Submission Form. After each IFQ fishing year, NMFS will provide to each IFQ permit holder an IFQ Landing Summary and Estimated Fee Liability page. The IFQ permit holder must either accept the accuracy of the NMFS estimated fee liability associated with his or her IFQ landings for each IFQ permit, or calculate a revised IFQ fee liability. The IFQ permit holder may calculate a revised fee liability for all or part of his or her IFQ landings.

The IFQ permit holder must submit a complete IFQ permit holder Fee Submission Form and payment to NMFS not later than January 31 following the calendar year in which the IFQ landings were made. NMFS will provide the permit holder with a summary of fees due for all of his or her IFQ permits, such that the permit holder may pay the total amount due on one IFQ fee submission form.

NMFS collects IFQ cost recovery fees at the end of a year to recover costs incurred by the agency for IFQ Program management in that same year. An IFQ permit holder incurs a cost recovery fee liability for every pound of IFQ halibut and IFQ sablefish that is landed on his or her IFQ permit(s). The IFQ permit holder is responsible for self-collecting the fee liability for all IFQ halibut and IFQ sablefish 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 IFQ permit holder for previously landed IFQ halibut or sablefish.

There are four ways to pay the IFQ fee:

- ◆ Pay ONLINE (<https://alaskafisheries.noaa.gov/webapps/ifqaccounts/Login>) via credit card or check. 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.

#### **IFQ Permit Holder Fee Submission Form**

##### **Block A. Overpayment**

If estimated "balance due" is less than zero (deficit), select one of the following options:

- Apply overpayment to future fee liabilities or
- Issue Refund

##### **Block B. Identification of IFQ permit holder**

- Name and NMFS Person ID of IFQ permit holder
- Tax ID (Social Security Number or Employer ID Number)
- Business mailing address, telephone number, FAX number and e-mail address (if any)
- Indicate if business mailing address is permanent or temporary

##### **Block C. Agreement with IFQ Fee Liability Summary**

- If agree with indicated IFQ fee liability summary, date and sign in Block D and complete Block E
- If **NO**, complete Block F (Fee Calculation)

Block D. Signature

Printed name and signature of IFQ Permit Holder and date signed  
If Authorized Agent, **attach** authorization

Block E. Method of Payment

Indicate whether paying by personal check, cashier’s check or money order  
If paying by check, ensure check is signed  
If paying for multiple permit holders, **attach** all completed and signed Fee Submission Forms  
If paying by credit card, indicate  
    Charge card type  
    Card number  
    Expiration Date  
    Amount of payment  
    Name as Printed on card  
    Signature of card holder  
    Date signed

If the IFQ permit holder decides to calculate a revised fee liability for all or part of his or her IFQ landings, NMFS may request in writing that a permit holder submit documentation establishing the factual basis for a revised IFQ fee liability, the permit holder must submit adequate documentation by the 30th day after the date of such request. Examples of such documentation regarding initial sales transactions of IFQ landings include valid fish tickets, sales receipts, or check stubs that clearly identify the IFQ landing amount, species, date, time, and ex-vessel value or price.

Block F. Fee Calculation (if disagree with NMFS summary)

Permit number(s)  
Date of landing  
Port location  
IFQ pounds  
Standard ex-vessel price and Actual ex-vessel price  
Total  
Ex-vessel Value Total  
Total Adjustments (retros, bonuses)  
Subtotal  
Fee liability  
Pre-payments or Credits (if any)  
Balance Due  
Enclosed payment amount

Miscellaneous cost is changed to 0 because this report must be submitted online.

<b>IFQ Fee Submission Form, Respondent</b>	
<b>Number of respondents</b>	<b>2,838</b>
<b>Total annual responses = 1</b>	<b>2,838</b>
<b>Total burden time = 2 hr</b>	<b>5,676 hr</b>
<b>Total personnel cost (5676 hr x \$25/hr)</b>	<b>\$141,900</b>
<b>Total miscellaneous cost</b>	<b>\$0</b>
Submit online = 0	

<b>IFQ Fee Submission Form, Federal Government</b>	
<b>Total annual responses</b>	<b>2,838</b>

<b>Total time burden</b>	<b>0 hr</b>
Submitted online = 0	
<b>Total personnel cost</b>	<b>\$0</b>
<b>Total miscellaneous cost</b>	<b>\$0</b>

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.**

An IFQ Permit holder may submit fee payment and the value and volume report by mail, courier, credit card over the telephone, or online at <https://alaskafisheries.noaa.gov/webapps/efish/login>. Collecting information and payment online benefits both the IFQ Permit holder and NMFS by providing a more efficient and accurate method and by allowing NMFS to have the information entered directly into the database.

**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.**

This action directly affects two types of small entities as defined by the Small Business Administration: IFQ Registered Buyers who operate as shoreside processors and purchase IFQ halibut or sablefish from IFQ permit holders, and halibut and sablefish IFQ permit holders. Six CDQ groups are small entities. This information collection 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 the IFQ fee were not conducted, recovery of actual costs incurred in managing and enforcing the IFQ Program would not be made. Also, funds would not be available for Congress to appropriate for support of the North Pacific IFQ Loan Program. NMFS requires submittal of the fee and Fee Submission Form on an annual basis, which is the minimum amount of time required to support the IFQ Program.

An IFQ Registered Buyer that also operates as a shoreside processor and receives and purchases IFQ landings of sablefish or halibut must submit annually to NMFS a complete IFQ Registered Buyer Ex-vessel Value and Volume Report for each reporting period in which the Registered Buyer receives IFQ fish. Through this report, Registered Buyers provide monthly IFQ landings information and value paid to IFQ permit holders for those landings. NMFS uses this information to establish annual standard ex-vessel values for halibut and sablefish based on the location (regionality) and timing (seasonality) of the landings.

If these two reports were not submitted, the IFQ Program could not proceed which would economically affect many small businesses.

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

1Not Applicable.

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

A Federal Register Notice published on February 18, 2015 (80 FR 8619) solicited public comment. Comment period ended April 20, 2015.

A request for comments from respondents has gone out, and comments will be added when received.

**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.

**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 Act (16 U.S.C. 1801 *et seq.*) It is also confidential under [NOAA Administrative Order 216-100](#), which sets forth procedures to protect confidentiality of fishery statistics.

An amended Privacy Act System of Records Notice, COMMERCE/NOAA System-19, Permits and Registrations for United States Federally Regulated Fisheries, was published for comment on August 7, 2015 (80 FR 47457) and will become effective on September 8, 2015.

**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.**

Total estimated respondents: 2,963. Total estimated responses: 2,963. Total estimated burden hours: 5,926. Total estimated personnel costs: \$149,000.

**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 #12 above).**

Total miscellaneous costs: \$0, decreased from \$898.

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

Total estimated burden hours: 0, decreased from 3,436. Total estimated personnel costs: \$0, decreased from \$85,150.

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

Adjustment: Information is now submitted online, so that there are no remaining recordkeeping/reporting costs.

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

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



Some of the information collected is tabulated and published in an Annual Report on IFQ Cost Recovery Program and annual list of current Standard Ex-vessel Prices (see <http://209.112.168.2/ram/ifqreports.htm#fee>). Information tabulated may contain, but is not limited to the following: Total amount of fees, ex-vessel values and landings, number of permit holders, number of permit holders using actual prices, number of permit holders using standard prices, and number and description of un-paid fees and payment disputes.

**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.