

SUPPORTING STATEMENT
ALASKA CHINOOK SALMON ECONOMIC DATA REPORT (EDR)
OMB CONTROL NO. 0648-0633

This request is for extension of an existing information collection.

INTRODUCTION

National Marine Fisheries Service (NMFS), Alaska Region manages the groundfish fisheries in the Exclusive Economic Zone off Alaska. The North Pacific Fishery Management Council (Council) prepared the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#), 16 U.S.C. 1801 *et seq.* (Magnuson-Stevens Act). The FMP is implemented under regulations at [50 CFR part 679](#).

NMFS manages the Bering Sea pollock fishery under the [American Fisheries Act](#) (AFA) (16 U.S.C. 1851). The AFA “rationalized” the Bering Sea pollock fishery in part by allowing for the formation and management of fishery cooperatives. AFA fishing vessels harvest pollock using pelagic (mid-water) trawl gear, which consists of large nets towed through the water by the vessel. At times, Chinook salmon and pollock occur in the same locations in the Bering Sea. Consequently, Chinook salmon are incidentally caught in the nets as pollock is harvested. This incidental catch is called bycatch and is also called prohibited species catch (PSC). Chinook salmon are defined as a prohibited species because they are caught by a vessel issued a Federal Fisheries Permit under [§ 679.4\(b\)](#) while fishing for groundfish (pollock) in the Bering Sea and Aleutian Islands Management Area (BSAI) or Gulf of Alaska.

The Chinook Salmon Economic Data Report (Chinook Salmon EDR), also known as the Amendment 91 EDR, was implemented in 2012 (77 FR 5389) to evaluate the effectiveness of Chinook salmon bycatch management measures for the Bering Sea pollock fishery that were implemented under Amendment 91 the FMP (75 FR 53025, August 30, 2010). The Chinook Salmon EDR Program provides information to the analysts and the Council and is intended to evaluate the effectiveness of the Chinook Salmon Incentive Plan Agreement (IPA) (see OMB Control No. 0648-0401). The Chinook Salmon EDR Program is intended to evaluate where, when, and how pollock fishing and salmon bycatch occur and to provide data to study and verify conclusions drawn by industry in the IPA annual reports.

The Chinook Salmon EDR Program is managed primarily by the Alaska Fisheries Science Center, with support from NMFS Alaska Region, and is administered in collaboration with Pacific States Marine Fisheries Commission (Pacific States). The EDR is a mandatory reporting requirement under 50 CFR 679.65 for all entities participating in the AFA BSAI pollock trawl fishery, including vessel masters and businesses that own or lease one or more AFA-permitted vessels active in fishing or processing BSAI pollock, Western Alaska Community Development Quota (CDQ) groups receiving allocations of BSAI pollock, and representatives of sector entities receiving allocations of Chinook salmon PSC from NMFS.

The Chinook Salmon EDR Program is comprised of three separate survey forms:

- ◆ Chinook PSC Allocation In-season Compensated Transfer Report — collects transfer and monetary compensation information for Chinook salmon PSC allocations;
- ◆ Vessel Fuel Survey — collects fuel consumption and average fuel costs; and
- ◆ Vessel Master Survey — collects vessel master impressions of fishing experiences during the year and of Chinook salmon PSC avoidance efforts.

Distinct conditions that require an entity to submit one or more of the respective forms are discussed in more detail below. In addition to the EDR program, the data collection measures developed by the Council for Amendment 91 also specified modification of the Daily Fishing Logbook (DFL) (see OMB 0648-0213) for BSAI pollock trawl catcher vessels and catcher/processors (implemented for the 2012 fishing year) to add a "checkbox" to the tow-level logbook record requiring vessel operators to indicate instances when a vessel fishing pollock in the BSAI changed fishing locations, prior to each tow, for the primary purpose of avoiding Chinook salmon PSC. For AFA catcher/processors, this information is recorded in the Trawl Catcher/processor Electronic Logbook (see OMB 0648-0515) and submitted to NMFS via the eLandings system.

NMFS uses data from these collections to compare the annual, seasonal, and, where possible, trip-level and haul-level changes in the behavior of the pollock fleet by sector, cooperative, and vessel. The four AFA sectors are: catcher/processor, mothership, inshore processor, and CDQ. NMFS allocates annual transferrable or non-transferrable Chinook salmon PSC to members of a qualifying catcher/processor sector, mothership sector, inshore cooperatives, and CDQ groups. Chinook salmon PSC may be transferred between these entities and among members of each entity.

The Chinook Salmon EDR forms can be accessed online at the [Pacific States website or by contacting NMFS at 206-526-6301](#).

NMFS sends login credentials for use with the online Chinook Salmon EDR submittal site to submitters by certified mail. The combination of the login credentials and the signature certification statement on the online form are equivalent to a signature for confidentiality and accuracy purposes. In addition, all AFA vessel owners and other known entities subject to Chinook Salmon EDR submission requirements are contacted directly by Pacific States with instructions for using the EDR web application to submit the required forms.

A. JUSTIFICATION

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

The Chinook Salmon EDR Program provides additional data to assess the effectiveness of the Chinook salmon bycatch management measures implemented under Amendment 91 to the FMP. The information collected is a combination of quantitative and qualitative data to conduct

descriptive and quantitative analysis and comparisons of the annual and seasonal changes in the pollock fleet under Amendment 91.

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.

a. Annual Chinook Salmon PSC Allocation In-season Compensated Transfer Report

An owner or leaseholder of an AFA-permitted vessel and the representative of any entity that received an allocation of Chinook salmon PSC from NMFS must complete and submit the Certification Page (Part 1) of the Annual Chinook Salmon PSC Allocation In-season Compensated Transfer Report (CTR) each year, for the previous calendar year.

Any person who transferred Chinook salmon PSC allocation after January 20, and paid or received money for the transfer, must submit a completed CTR (Part 1 and Part 2) for the previous calendar year.

The CTR is intended to provide information to fishery managers to evaluate the effectiveness of Chinook salmon bycatch management measures. The CTR collects information on transfers of Chinook salmon PSC allocation to or from another person during each calendar year for which the transferor or transferee paid or received monetary compensation. Compensated transfers are those transfers that include monetary compensation for a part of or the whole value of the transferred Chinook salmon PSC allocation.

NMFS examines data reported for each transaction and tabulates the data to compare the amount of Chinook salmon PSC transferred in each transaction, number of transactions by vessel type (sector and AFA cooperative), and time intervals of the transfers in a season or year. NMFS also tabulates the average and variation in price paid for transactions by vessel operation type, sector, and AFA cooperative.

Information on the affiliation of transferor and transferee is used to determine the independence of the parties of any reported compensated transfer. This is required to differentiate market-based transactions and associated prices from transfer payments between affiliated or integrated entities.

The majority of the respondents are vessels engaged in either catching or catching and processing pollock. Some of the catcher vessels and catcher/processors in this fleet are owned by firms that also own inshore processing plants. Owners of inshore processing plants may also be familiar with specific Chinook salmon PSC transfers, and thus, are potential respondents for the CTR.

The CTR Certification Page or entire CTR must be submitted annually online at [Pacific States website](#) on or before 1700 hours Alaska local time (A.l.t.) on June 1. The following data elements are required for the CTR

Part 1. Certification page

Entity information

Entity type (Check one)
Name of reporting entity
AFA permit number or entity NMFS ID

Submittal of CTR

If submitting **Certification Page Only**

You are the owner or leaseholder of an AFA permitted vessel or a representative of an entity that received an allocation of Chinook PSC from NMFS and no financial transactions occurred

If submitting **entire CTR form** (both Parts 1 and 2)

You are the owner or leaseholder of an AFA permitted vessel or a person or representative of an entity who **paid or received money for a transfer** of Chinook salmon PSC allocation after January 20

Person completing this report

Select appropriate description of person completing form
Name and title or NMFS ID
Business telephone number, business fax number, and business email address (if available)

Certification

Signature of owner or leaseholder
Date signed

Part 2. Chinook Salmon PSC allocation transfer information

Report each transfer of Chinook salmon PSC allocation to or from another person or entity during the calendar year for which you paid or received monetary compensation. Compensated transfers are those transfers that include monetary compensation for a part of or the whole value of the transferred Chinook salmon PSC allocation

NMFS ID -- Identify the other person who paid or received money for each transfer.

If other person was a vessel owner/leaseholder, record AFA vessel permit number.
For other persons, record NMFS ID.
If AFA vessel permit number or NMFS ID is unavailable, record the entity name

Direction of transfer -- Indicate if the Chinook salmon were transferred (sold) to another person by you, or transferred (bought) from another person by you.

Date of transfer -- Record the date Chinook salmon were transferred to the receiving person. This may not be the date of final settlement on terms of compensation.

Transfer type -- Identify the type(s) of association between you and the other entity in the transfer.

Entity type -- Indicate the entity type of the other party in the Chinook salmon PSC allocation transfer.

CHINOOK SALMON PSC ALLOCATION TRANSFERRED AND COMPENSATION

Number of Chinook salmon transferred

Payment amount (\$US)

Record the total amount of money in U.S. dollars for each transfer. Report all payment as of the date of submission of this form. This includes all money paid for the transfer regardless of whether other assets, such as pollock quota, are included in the transaction. Do not report any compensation made in any form other than monetary compensation.

Other assets included -- If the transaction included assets other than Chinook salmon and monetary compensation, indicate this using the checkbox. Other assets could include pollock quota, goods, or services of value. Do not check the box if additional assets included only assets of nominal or no value.

See Tables A and B below for burden and cost calculations. The numbers of respondents and responses changed from one to zero (in ROCIS, one, one and one hour, as placeholders). No CTRs were submitted for 2014, 2015, or 2016 and, given BSAI Chinook salmon run indications, none are expected in the foreseeable future.

b. Annual Vessel Fuel Survey

An owner or leaseholder of an AFA-permitted vessel must submit a completed Vessel Fuel Survey for each vessel used to harvest pollock in the Bering Sea in a given year.

The Vessel Fuel Survey collects information on the estimated quantity and cost of all fuel consumed by each AFA vessel harvesting or processing pollock during the calendar year. This survey collects data on average fuel use fishing and transiting and annual fuel use and costs. Data are reported on a vessel basis annually. These data, when used with existing data and data concerning Chinook salmon avoidance efforts, allow analysts to examine fuel use and costs associated with choices of fishing grounds and Chinook salmon PSC avoidance.

These data, combined with other information in the Chinook Salmon EDR Program, provide information on movements of a vessel to avoid Chinook salmon, and in particular, Chinook salmon bycatch. Fuel use and price data are not available for vessels in the pollock fishery in any uniform format. NMFS applies fuel usage data to assess the extent to which fleet members are willing to incur these expenses to avoid Chinook salmon PSC. These data provide useful estimates of fuel usage for evaluating the effects of Amendment 91.

The vessel owner or leaseholder must electronically submit all completed Vessel Fuel Surveys annually using [Pacific States website](#) on or before 1700 A.l.t. on June 1. The following data elements are required for the Vessel Fuel Survey:

Part 1: Certification Page

AFA-permitted vessel and owner identification

Vessel Owner/ Leaseholder name and NMFS ID

Vessel name and AFA permit number

Submittal of vessel fuel survey

Select one of the following statements

You were the AFA permit holder or leaseholder for an AFA-permitted vessels **that harvested or processed AFA pollock** during the calendar year.

Complete and submit **entire vessel fuel survey** form for the calendar year.

In addition, submit all the vessel fuel surveys received from and completed by hired masters on that same vessel.

You were the AFA owner or leaseholder for an AFA permitted vessel **that did not harvest or process AFA pollock** during the calendar year.

Complete and submit the **Certification Page only**.

Person submitting this report

Name and title or NMFS ID

Business telephone number, business fax number, and business email address (if available)

Certification

Signature

Date signed

Part 2. Vessel Fuel Consumption and Cost

For each vessel operated in the AFA pollock fishery during calendar year

AFA Vessel permit number

Average rate of fuel consumption

Report the average rate of fuel consumption under average operating conditions during the calendar year.

Report the fuel consumption rate separately for operating while fishing (towing) and not fishing (operating while transiting; traveling between points on fishing grounds, but not towing).

Report fuel consumption rates for the pollock fishery only.

For motherships, report the rate of fuel consumption for transiting only.

If you do not have equipment on the vessel for actively monitoring the rate of fuel usage, provide the most accurate estimate you can based on the best information you have available.

Annual Fuel Loaded-

For each vessel, report the total amount of fuel loaded to the vessel, in gallons, during the calendar year.

Annual Fuel Cost

For each vessel, report total cost of fuel for this vessel during the calendar year. Include all fuel that was loaded and invoiced, even if not completely used or paid for during the calendar year.

Do not include lubrication and fluids costs other than fuel.

See Tables A and B below for burden and cost calculations. The numbers of respondents and responses changed from 105 to 65, largely due to improvements in the data entry portal which allow one person to enter information for more than one vessel. See A15.

c. Vessel Master Survey

The Vessel Master Survey is a qualitative assessment survey that poses a series of questions to elicit vessel operator input on factors that influenced the vessel's performance during the year. The questions in this survey are primarily qualitative questions concerning operator on-grounds impressions and choices made during the pollock season, including incentives, fishing location choices, and salmon PSC reduction measures.

For any AFA-permitted vessel used to harvest pollock in the Bering Sea in the previous year:

- ◆ The vessel master must complete the Vessel Master Survey, and the Vessel Master certification following the instructions on the form, Part 2.
- ◆ An owner or leaseholder must complete the Vessel owner certification following instructions on the form, Part 1.

Many masters compile notes in-season to be used for response to the specific survey at year-end. The burden associated with tracking vessel activity in order to complete the survey varies depending on the circumstances encountered during the year. Fully completing the form at the end of the season is estimated to require approximately 4 hours of in-season time, recording impressions of conditions and decision making.

The respondents annually complete the Vessel Master Survey at the end of the fishing year.

If a vessel did not participate in the Bering Sea pollock fishery during the reporting year, the vessel owner is required to submit only the Vessel Owner Certification Page of the Vessel Master Survey.

The vessel owner or leaseholder must electronically submit the Vessel Master Survey using [Pacific States website](#) on or before 1700 A.l.t. on June 1. The following data elements are required for the Vessel Master Survey:

Part 1: Vessel Owner Certification Page
AFA-permitted vessel and owner identification

Vessel owner or leaseholder name and NMFS ID

Vessel name

AFA permit number

Vessel master name and CFEC gear operator permit number (repeat if more than one master)

Submittal of Vessel Master Survey

Select one of the following statements

You were the AFA owner or leaseholder for an AFA permitted vessel **that harvested or processed AFA pollock** during the calendar year.

Complete and submit **ENTIRE Vessel Master Survey** Form (both Part 1 and Part 2).

You were the AFA owner or leaseholder for an AFA permitted vessel **that did not harvest or process AFA** pollock during the calendar year.

Complete and submit the **Vessel Owner Certification Page** (Part 1).

Person Submitting this Report

Name and title or NMFS ID

Business Number Telephone, Business FAX Number, and Business E-mail address

Certification

Signature of owner or leaseholder of an AFA-permitted vessel and date signed

Part 2: Pollock Fishing and Salmon Bycatch Avoidance

Hired Master Certification

Vessel master name and CFEC gear operator permit number

Signature of vessel master

Date signed

Provide complete answers. Where applicable, note any differences between the A and B pollock seasons

Attach extra sheets if more space is needed to complete your answers.

If the vessel participated in an Incentive Plan Agreement (IPA), did the IPA affect your fishing strategy?

IF YES, describe and discuss what incentives had the largest impact on your strategy.

Did the amount and/or cost of Chinook salmon PSC allocation available to the vessel lead you to make changes in pollock fishing operations?

IF YES, describe.

How would you compare the Chinook salmon bycatch and pollock conditions during the A and B seasons this year relative to the last two years?

Describe any unique aspects of the season.

Did Chinook salmon bycatch conditions cause you to delay the start of your pollock fishing or otherwise alter the timing of your pollock fishing for some period during the past A and/or B season?

IF YES, describe the Chinook salmon bycatch condition, when it occurred, and any change in your pollock fishing as a result.

In the past year, did you end a trip and return to port early because of Chinook salmon bycatch conditions?

IF YES, indicate the number of trips that this occurred in each season (use a check to mark the appropriate answer for each season).

Describe how any area closures or restrictions for the purpose of reducing Chinook salmon bycatch affected where and how you fished.

Describe how any regulatory or other area closures or restrictions for a purpose other than reducing Chinook salmon bycatch affected where and how you fished.

Compared to a typical year, did weather or sea ice conditions have more, less, or about the same impact on fishing as in a typical year?

IF YES, describe especially if there were particularly uncommon conditions at any point this year. If these conditions had an impact on your ability to avoid Chinook salmon bycatch, describe.

Were there exceptional factors that affected your pollock fishing this year? For example, were there unusual market or stock conditions, unusual pollock fishing conditions, or maintenance problems?

IF YES, describe.

Separate from an Incentive Plan Agreement, were there other incentives for you to reduce Chinook salmon bycatch?

IF YES, describe.

Did actual or potential bycatch of species other than Chinook salmon cause you to change your harvesting decisions during the pollock season? **IF YES**, describe.

See Tables A and B below for burden and cost calculations. The numbers of respondents and responses changed from 133 to 117.

d. Verification/Audit of Chinook Salmon EDR Data

NMFS and Pacific States have developed measures to verify data submitted in the CTR. The principal means to verify data and resolve questions is through validation of data submitted in the CTR surveys against supporting records. The person submitting the EDR must respond within 20 days of NMFS's information request. Responses after 20 days could be considered untimely and could result in a violation and enforcement action. NMFS and Pacific States have determined that audits of the Vessel Fuel Survey and Vessel Master Survey are not authorized by the EDR and have been discontinued.

For CTR verification, a NMFS-approved auditor may review and request copies of additional data provided by the owner or leaseholder, including but not limited to previously audited or reviewed financial statements, worksheets, tax returns, invoices, receipts, and other original documents substantiating the data. The NMFS-approved auditor verifies records by comparing specific elements of the report with participant accounting records.

To make the verification process as efficient and non-intrusive as possible, NMFS suggests that participants do the following:

- ◆ Keep copies of all certification pages and completed EDRs, with all attachments, submitted to Pacific States.
- ◆ Keep a file that has all of the supporting information used in the preparation of the EDR.
- ◆ Make sure that the EDR agrees with the company's highest level of financial information. For this purpose, the highest level of financial information is defined in order as—
 - Audited financial statements
 - Reviewed financial statements
 - Compiled financial statements
 - Tax returns.
- ◆ Record only whole numbers. Round up dollar figures to the next highest dollar.

See Tables A and B below for burden and cost calculations. The number of respondents and responses changed from 44 to zero (in ROCIS, one, one and one hour, as placeholders). There are no compensated transfers occurring to which the verification audit would apply and, given BSAI Chinook salmon run indications, none are expected in the foreseeable future. As noted above, audits of the Vessel Fuel Survey and Vessel Master Survey are no longer conducted.

Table A – Total Annual Burden Hours, Labor Costs, and Miscellaneous Costs for Respondents

Report/Survey	Number of Respondents	Frequency of annual responses per entity	Total annual responses	Estimated time per response (hours)	Total annual burden hours	Total labor cost (\$75/hr)	Total Miscellaneous Costs
Compensated Transfer Report	0	0	0	40	0	\$0	\$0
Vessel Fuel Survey	65	1	65	4	260	\$19,500	\$0
Vessel Master Survey	117	1	117	4	468	\$35,100	\$0
CTR Verification Audit	0	0	0	4	0	\$0	\$0
<i>Total for Collection</i>	117 (119 in ROCIS)		182 (184 in ROCIS)		728 (730 in ROCIS)	\$54,600	\$0 (\$1 in ROCIS)

Table B – Total Annual Burden Hours, Labor Costs, and Miscellaneous Costs for Government

Report/Survey	Number of Respondents	Frequency of annual responses per entity	Total annual responses	Estimated time per response	Total annual burden hours	Total labor cost (\$75/hr)	Total Miscellaneous Costs
Compensated Transfer Report	0	0	0	10	0	\$0	\$0
Vessel Fuel Survey	65	1	65	4	260	\$19,500	\$0
Vessel Master Survey	117	1	117	4	468	\$35,100	\$0
CTR Verification Audit	0	0	0	0	0	\$0	\$0
<i>Total for Collection</i>	117		182		728	\$54,600	\$0

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.

Information derived from the collected data will be disseminated to the public consistent with applicable requirements for nondisclosure of confidential information 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 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.

This collection is 100 percent electronic; these reports are all submitted online.

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 applies only to those entities that participate in the AFA directed pollock trawl fishery in the Bering Sea. The only small entities that are directly regulated by this action are the six CDQ organizations. If a CDQ group chooses to make or receive a compensated transfer of Chinook salmon PSC allocation, a representative of the CDQ group would be required to complete some portion of the transfer report, NMFS minimizes the burden on small entities of this reporting requirement by allowing the online submission of this report. To date, no CDQ groups have submitted or contributed to a compensated transfer report. In addition, although the vessel owners are not considered small entities, NMFS has worked with them to reduce the burden by allowing multiple Vessel Masters to complete the Vessel Master Survey using the login credentials of one owner and by allowing multiple Vessel Fuel Survey responses in a single online submission.

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

Chinook salmon caught in the pollock fishery are considered PSC under the Magnuson-Stevens Act, the FMP, and NMFS regulations at 50 CFR part 679. National Standard 9 of the Magnuson-Stevens Act requires the Council to select, and NMFS to implement, conservation and management measures that, to the extent practicable, minimize bycatch and bycatch mortality.

The CTR in conjunction with data from IPA reports provides information on the number and characteristics of Chinook salmon PSC transfers. Without this data, NMFS will not be able to tell how vessels differ from each other in terms of efficient use of Chinook salmon PSC or of the costs of avoiding Chinook salmon PSC. Without this data, it will not be possible to determine if the tradable Chinook salmon PSC is working or if it is not working, how to fix it.

Without the Vessel Master Survey, we will not understand the tradeoffs vessel masters made to

avoid Chinook salmon. NMFS may not be able to detect if there is essential information missing in other survey or report data that is needed to evaluate the effect of the IPAs implemented by Amendment 91.

Without the Vessel Fuel Survey, NMFS would not be able to apply fuel usage data to assess the extent to which fleet members are willing to incur these expenses to avoid Chinook salmon PSC. These data provide useful estimates of fuel usage for evaluating the effects of Amendment 91.

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

No special circumstances exist.

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 November 13, 2017 (82 FR 52280), solicited public comments. No comments were received.

In addition, a questionnaire was distributed by email soliciting comments from nine randomly selected participants. Three respondents completed and returned the questionnaire. All three respondents are fleet management staff from fishing organizations. The survey instrument is included as a supplementary document. Note that no CTRs, and thus no audits, have occurred in the past three years. A summary of the comments received from the survey follows.

Generally, respondents agreed with cost and time burden estimates and that the survey requirements are easy to understand; although, one respondent felt that the personnel cost estimate should be \$50 per hour not \$75 per hour. Two of three respondents did not believe that the Vessel Master Survey has practical utility. Two of three respondents felt that the Vessel Fuel Survey has practical utility, while the other indicated just minimal practical utility. The following specific comments were provided:

Comment: Not sure how Vessel Master Survey results are used but pretty basic questions that result in similar answers every year.

Response: NMFS agrees that given the relatively low levels of Chinook salmon PSC observed in the Bering Sea pollock fishery in recent years, the largely qualitative survey will result in similar answers year to year. However, if conditions change in the Bering Sea pollock fishery, NMFS believes that the Vessel Master Survey will provide key information regarding the effectiveness of Chinook salmon avoidance and the effectiveness of the IPAs. The information collected in the survey is also analyzed and summarized annually in the Alaska Fisheries Science

Center Economic Status of Groundfish Fisheries Off Alaska report available on the [AFSC website](#).

Comment: The current Chinook salmon cap and rules are politically motivated and should be adjusted to be more realistic and to minimize other costs. Chinook salmon conservation is very important, but the regulations are unnecessarily harsh.

Response: NMFS agrees that Chinook salmon conservation is very important but disagrees with the comments regarding motivation for the rules and the severity of the regulations. Amendment 91 and the subsequent Chinook Salmon EDR Program were developed through a complete Council process including extensive public testimony and the use of the best scientific information available, as required by the Magnuson-Stevens Act. The regulations implementing Amendment 91 provide for cooperative level allocations, incentive plan agreements, post-delivery transfers, and a high level of industry self-governance in order to incentivize the avoidance of Chinook salmon PSC while at the same time providing industry as much flexibility as possible to harvest all available pollock total allowable catch.

Comment: The efforts to avoid Chinook salmon by pollock CVs is huge and the fuel cost part of it is significant but nowhere nearly reflects the costs and efforts of the CV fleet.

Response: NMFS acknowledges the comment.

Comment: Fuel is not the only cost. Substantial additional costs include daily operating overhead, catching smaller pollock, reduced product quality, and reduced roe production.

Response: NMFS agrees.

Comment: Longer catcher vessel trips result in poorer product. Longer trips also create lost opportunity in other fisheries like cod and whiting because it takes longer to harvest pollock.

Response: NMFS acknowledges the comment.

Comment: The Vessel Fuel Survey has just minimal practical utility because the other costs are so much greater but difficult to quantify.

Response: NMFS acknowledges the comment.

Comment: Personal interviews with captains and processors give better insight into true costs.

Response: NMFS acknowledges the comment.

Comment: The first year of the survey was very confusing, but it has gotten easier since then.

Response: NMFS agrees.

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

No payment or gift is provided under this program.

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

All information collected is part of a system of records: [COMMERCE/NOAA #16, Economic Data Reports for Alaska Federally Regulated Fisheries off the Coast of Alaska](#).

The data requested in the Chinook Salmon EDR includes detailed proprietary information provided by firms and individuals, as well as personally identifying information (PII) and business identifying information (BII). These data are considered confidential under section 402(b) of the Magnuson-Stevens Act. It is also confidential under [NOAA Administrative Order 216-100](#), which sets forth procedures to protect confidentiality of fishery statistics. The EDR data are prohibited from release to the public. Access to EDR data is tightly controlled under numerous provisions of statute, regulation, and administrative order.

The Code of Federal Regulations ([50 CFR 600.415](#)) specifies that access to confidential data collected by NMFS is restricted to the following:

- ◆ Federal and Council employees responsible for collection and maintenance of the data, FMP development, monitoring or enforcement, or performing research that requires access to confidential statistics, or on a demonstrable need-to-know basis.
- ◆ NOAA/NMFS contractors or grantees who require access to confidential statistics to perform functions authorized by a Federal contract or grant.
- ◆ State personnel who demonstrate a need for confidential statistics for use in fishery conservation and management, provided that the State has entered an agreement to protect confidential data to a standard comparable to that required by the Magnuson-Stevens Act.

The regulations further provide for granting access to Council members under conditions that are unlikely to be met in the case of these Chinook Salmon EDR data, and individual submitters may request that their own records be released to themselves or a third party.

In addition, the confidential proprietary data collected in this Chinook Salmon EDR meet the definition of trade secrets as defined in the [Freedom of Information Act](#) (FOIA) (5 U.S.C. 552), and [Trade Secrets Act](#) (18 U.S.C. 1905), and as such are exempted from disclosure of raw, un-aggregated data under FOIA. All individuals who are determined to be authorized for access to confidential data are required to sign and submit a nondisclosure agreement, affirming the user's understanding of NMFS' obligations with respect to confidential data and the penalties for unauthorized use and disclosure. [NOAA Administrative Order 216-100](#) is the principal legal guidance for NMFS' employees on specific protocols for handling confidential data, including

definitions, policies, operational responsibilities and procedures, penalties, and statutory authorities and requirements.

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: 117, down from 133. Estimated total responses: 182, down from 283. Estimated total burden: 728 hours, down from 1,168 hours. Estimated total personnel costs: \$54,600, down from \$87,600. (In ROCIS, 119 respondents, 184 responses and 730 hours, because we added placeholders in order to display the reductions as adjustments).

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: \$0, down from \$4,631.

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

Estimated total responses: 182, down from 239. Estimated total burden: 728 hours, down from 962 hours. Estimated total personnel cost: \$54,600, down from \$72,150.

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

Adjustments were made to update the number of respondents, and effects of improved online submission on responses. Due to low Chinook salmon PSC rates in the BSAI pollock fishery no compensated transfers, and thus no EDR verification audits, have taken place in the past three years and none are anticipated in the next three years. Revisions to the online submission forms for the Vessel Fuel Survey now allow a single individual (e.g., fleet manager, accountant) to enter data for multiple vessels at one time and have resulted in a substantial reduction in respondents and responses to the survey.

Compensated Transfer Report

- a decrease of 1 respondents and responses, 0 instead of 1*
- a decrease of 40 hours, 0 instead of 40
- a decrease of \$3,000 in personnel costs, \$0 instead of \$3,000

Vessel Fuel Survey

- a decrease of 40 respondents and responses, 65 instead of 105
- a decrease of 160 hours burden, 260 instead of 420
- a decrease of \$12,000 in personnel costs, \$19,500 instead of \$31,500

Vessel Master Survey

- a decrease of 16 respondents and responses, 117 instead of 133
- a decrease of 64 hours burden, 468 instead of 532
- a decrease of \$4,800 in personnel costs, \$35,100 instead of \$39,900

Chinook EDR Verification

- a decrease of 44 respondents and responses, 0 instead of 44*
- a decrease of 176 hours burden, 0 instead of 176
- a decrease of \$13,200 in personnel costs, \$0 instead of \$13,200
- a decrease of \$4,631 in miscellaneous costs, \$0 instead of \$4,631

* In order to change the burden reduction to an adjustment, ROCIS required us to have at least one respondent, response and burden hour. We also kept \$1 for the Verification, since it does have recordkeeping/reporting 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.

18. Explain each exception to the certification statement.

Not applicable.