

**SUPPORTING STATEMENT  
ALASKA COST RECOVERY AND FEE PROGRAMS  
OMB CONTROL NO. 0648-0711**

This request is for revision and extension of an existing information collection.

Three existing collections are being merged into this collection: OMB control numbers 0648-0727, 0648-0758, and 0648-0764.

**BACKGROUND**

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

This information collection covers the NMFS Alaska Region cost recovery fee programs and the observer coverage fee program.

Section 304(d) of the Magnuson-Stevens Act authorizes and requires the collection of cost recovery fees for limited access privilege (LAP) programs and community development quota (CDQ) programs. The cost recovery fees may not exceed 3 percent of the ex-vessel value of the fishery, and must recover incremental (program) costs associated with the management, data collection, and enforcement of these programs that are directly incurred by government agencies tasked with overseeing these fisheries.

Section 313 of the Magnuson-Stevens Act authorizes a system of fees to support a fisheries research plan and deploy observers in the North Pacific fisheries. Unlike the cost recovery fees, this is a straight fee and does not recover incremental costs associated with the program. NMFS assesses a fee of 1.25 percent of the ex-vessel value of groundfish and halibut landed in the partial coverage category under the North Pacific Observer Program (Observer Program). NMFS is authorized to use the observer fees for stationing observers and electronic monitoring systems on board fishing vessels and processing plants that have been selected for observer coverage in the partial coverage category. Vessels and processing plants in the full coverage category directly pay observer providers for the observer on their vessel or in their plant.

Three existing information collections are being merged into this collection: OMB control numbers 0648-0727, 0648-0758, and 0648-0764.

In 2016, OMB approved revisions to the payment methods for IFQ Program and CR Program cost recovery fees under a temporary new collection, OMB Control Number 0648-0727. Once this renewal is approved, 0648-0727 will be discontinued.

In 2018, under temporary new OMB Control Number 0648-0758, OMB approved minor revisions to the IFQ Permit Holder Fee Submission Form. The revisions were associated with a rule to allow a single non-profit entity called a Recreational Quota Entity (RQE) to purchase and hold commercial halibut quota share (QS) for use by the charter halibut fishery. The RQE is responsible for paying all cost recovery fees on its annual recreational fishing quota. Once this renewal is approved and the remaining portion of 0648-0758 is merged into OMB Control Number 0648-0272 (per change request submitted to OMB 12/10/2018), Control Number 0648-0758 will be discontinued.

In 2018, under temporary new OMB Control Number 0648-0764, OMB approved information collection requirements associated with a rule to allow CDQ groups to lease (receive by transfer) halibut IFQ from IFQ permit holders in years of extremely low halibut commercial catch limits. The CDQ groups receiving IFQ transfers will be required to pay an IFQ cost recovery fee as a portion of the ex-vessel value of their landed halibut. Once this renewal is approved and the remaining portion of 0648-0764 is merged into OMB Control Number 0648-0272 (per change request submitted to OMB 12/10/2018), Control Number 0648-0764 will be discontinued.

## **JUSTIFICATION**

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

This information collection is necessary under the Magnuson-Stevens Act, which authorizes observer deployment fees and requires cost recovery fees to be collected for all LAP and CDQ programs. The fee collection forms and the volume and value reports are necessary to track, verify, and enforce the fee collection systems.

The observer coverage fee funds deployment of observers and electronic monitoring in the partial coverage category of the Observer Program. The information collected by observers provides scientific information for minimizing bycatch and managing the groundfish and halibut fisheries in the BSAI and Gulf of Alaska.

NMFS recovers the incremental costs (program costs) associated with management, data collection, and enforcement of the seven cost recovery programs in this information collection. For any of these tasks, NMFS may recover only those costs for activities or aspects of activities that NMFS did not have to undertake prior to implementation or establishment of the program. Examples of the specific management activities undertaken by staff at the NMS Alaska Region or the Alaska Fishery Science Center that are recoverable include at-sea scale inspections, creation and maintenance of software programs to track exclusive harvest privileges, development and implementation of regulation changes for programs subject to cost recovery, and staff time devoted to monitoring and tracking catch associated with a fishery subject to cost recovery.

This information collection contains the following NMFS Alaska Region fee payments, reports, and appeals:

Fee or Report	Requirement in 50 CFR part 679
<b>Observer Coverage Fee</b>	
Observer Coverage Fee Payment	§ 679.55
<b>Cost Recovery Fees</b>	
Pacific Halibut and Sablefish Individual Fishing Quota (IFQ) Program	§§ 679.5(l)(7) and 679.45
Crab Rationalization (CR) Program	§§ 680.5(g) and (m) and 680.44
Rockfish Program	§§ 679.5(r)(10) and 679.85
Western Alaska Community Development Quota (CDQ) Program for groundfish and halibut	§ 679.33
American Fisheries Act (AFA) Program	§ 679.66
Aleutian Islands Pollock Program	§ 679.67
Amendment 80 Program	§§ 679.5(u) and 679.95
<b>Volume and Value Reports</b>	
IFQ Registered Buyer Ex-vessel Volume and Value Report (IFQ Buyer Report)	§ 679.5(l)(7)(i)
CR Registered Crab Receiver Ex-vessel Volume and Value Report	§ 680.5(m)
Rockfish Ex-vessel Volume and Value Report	§ 679.5(r)(10)
Pacific Cod Ex-vessel Volume and Value Report	§ 679.5(u)(1)
First Wholesale Volume and Value Report	§ 679.5(u)(2)
Appeals	15 CFR 906

**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. Observer Coverage Fee Payment [was previously included with the Cost Recovery Fee description]**

The observer coverage fee is one of the two annual fees collected by NMFS Alaska Region under this information collection. More information on the observer fee is available on the NMFS Alaska Region website at <https://alaskafisheries.noaa.gov/fisheries/observer-program>.

NMFS collects observer coverage fees to support the funding and deployment of observers and electronic monitoring (EM) on vessels and in plants in the Observer Program’s partial coverage category. Beginning in 2019, a portion of the fees may be used to deploy EM systems on vessels in the EM selection pool of the partial coverage category. This system of fees fairly and equitably distributes the cost of monitoring among all vessels and processors in the partial coverage category.

The observer coverage fee is assessed on landings by vessels in the partial coverage category. The total fee amount is determined by the sum of the fees reported for each landing at that processor or registered buyer in the prior calendar year. NMFS annually publishes in the *Federal Register* the standard ex-vessel prices for groundfish and halibut by port, species, and gear type to provide participants the prices that will be used to calculate the observer fee.

Catcher vessel owners split the fee with the registered buyers or owners of shoreside or stationary floating processors. While the owners of catcher vessels and processors in the partial coverage category are each responsible for paying their portion of the fee, the owners of shoreside or stationary floating processors and registered buyers are responsible for collecting the fees from catcher vessels, and remitting the full fee to NMFS. Owners of small catcher/processors in the partial coverage category are responsible for remitting the full fee to NMFS.

NMFS sends invoices to processors and registered buyers by January 15 of each calendar year. The invoice includes their fee amount for the landings in the previous year, the date due, and instructions for submitting payment. Payments must be made through eFISH, an on-line web application available through the NMFS Alaska Region. Payment instructions are posted on the NMFS Alaska Region website at <https://alaskafisheries.noaa.gov/>.

Processors and registered buyers must pay the fees to NMFS using eFISH by February 15 each year. To pay the observer fee, they access eFISH using their user ID and password issued by NMFS, select the payments tab, and select the link for the observer fee. The observer fee payment page summarizes their fee liability and transactions. After selecting “submit payment,” the participant is redirected to a pay.gov payment entry screen. The participant provides the following information in pay.gov: payment amount, billing address, account holder name, and payment method and information associated with the payment method.

Full payment of the fee is required before NMFS will issue a new or renewed Federal processor permit or registered buyer permit.

Fee	Respondents	Payment Method	Payment Deadline
<b>Observer Coverage Fee</b>	Processors and registered buyers who receive landings from vessels in the partial coverage category; small catcher/processors in the partial coverage category.	eFISH*	February 15 of the year following the calendar year in which the groundfish or halibut landings subject to the observer coverage fee were made

\* <https://alaskafisheries.noaa.gov/webapps/efish/login>.

**b. Cost Recovery Fee Payment and Fee Submission Forms [previously included observer coverage fee; revised heading]**

The cost recovery fee is the second annual fee collected by NMFS Alaska Region under this information collection. More information on the cost recovery fees is available on the NMFS Alaska Region website at <https://alaskafisheries.noaa.gov/fisheries/cost-recovery-fee-programs>.

NMFS collects cost recovery fees to recover costs incurred by the agency for program management, data collection, and enforcement of the CDQ program and LAP programs. A permit holder incurs a cost recovery fee for all the pounds of fish landed on his or her permit(s) in the particular program, and is responsible for self-collecting the fee for those landings. Except for an RQE, the fee is based on the sum of all payments made to fishermen for the sale of the fish during the year. This includes any retroactive payments (e.g., bonuses, delayed partial payments, post-season payments) made to the permit holder for previously landed fish. An RQE's fee is based on standard ex-vessel halibut prices and the annual recreational fishing quota (RFQ) pounds that are issued to the RQE, rather than RFQ harvest at each location of charter halibut landings.

For each program, NMFS annually publishes in the *Federal Register* the fee percentage and standard ex-vessel prices used to calculate the cost recovery fee. Additionally, NMFS sends persons subject to the fees an invoice that includes their fee amount, the date due, and instructions for submitting their payment. Payment instructions are also posted on the NMFS Alaska Region website at <https://alaskafisheries.noaa.gov/>.

IFQ permit holders and registered crab receivers that do not agree with their IFQ fee liability summary may use the IFQ Permit Holder Fee Submission Form or the Registered Crab Receiver Fee Submission Form, respectively, to submit a revised fee. They must also submit adequate documentation supporting their revised fee. Examples of such documentation include valid fish tickets; sales receipts; check stubs that clearly identify the IFQ landing amount, species, date, time, and ex-vessel value or price; and check stubs that clearly identify the CR landing amount, species, date, time, and ex-vessel value or price.

Most of the cost recovery fees must be submitted electronically through eFISH. Currently, only the IFQ and CR Programs have the option to submit cost recovery fees by mail. To submit payments by mail, participants use the IFQ Permit Holder Fee Submission Form or the Registered Crab Receiver Fee Submission Form, which are available as fillable pdfs on the NMFS Alaska Region website at <https://alaskafisheries.noaa.gov/>. Starting December 1, 2019, for the IFQ Program and June 1, 2020, for the CR Program, cost recovery fee payments must be made electronically through eFISH in U.S. dollars by automated clearing house, credit card, or electronic check drawn on a U.S. bank account.

NMFS stopped accepting credit card information by phone, mail, fax, or in person on May 23, 2016.

Participants access eFISH using their user ID and password issued by NMFS. They then select the payments tab, and select the link for the appropriate fee. The fee payment page summarizes their fee liability and transactions. After selecting "submit payment," the participant is redirected

to a pay.gov payment entry screen. The participant provides the following information in pay.gov: payment amount, billing address, account holder name, and payment method and information associated with the payment method.

Fee	Respondents	Payment Method*	Payment Deadline
<b>IFQ Program</b>	1) IFQ permit holder with IFQ and/or guided angler fish (GAF) landings 2) RQE representative 3) CDQ groups that lease (receive by transfer) halibut IFQ	eFISH mail	January 31 following the calendar year in which the IFQ and/or GAF landings were made
<b>CR Program</b>	Each Registered Crab Receiver (RCR) who receives CR crab	eFISH mail	July 31 following the crab fishing year in which the CR crab landings were made
<b>Rockfish Program</b>	Rockfish cooperative quota (CQ) permit holders who hold a rockfish CQ permit against which landings were made	eFISH	February 15 of the year following the calendar year in which the rockfish CQ landings were made
<b>CDQ Program</b>	Representative at the time of landing of each CDQ group that receives a CDQ allocation of groundfish and halibut	eFISH	December 31 of the calendar year in which the CDQ groundfish and halibut landings were made
<b>AFA Program (Bering Sea pollock)</b>	At the time of a Bering Sea pollock landing: 1) designated representative on the AFA inshore cooperative permit; and 2) designated representative of the AFA mothership cooperative.	eFISH	December 31 of the calendar year in which the Bering Sea pollock landings were made
<b>Aleutian Islands Pollock Program</b>	Authorized representative designated by the Aleut Corporation	eFISH	December 31 of the calendar year in which the Aleutian Islands pollock landings were made
<b>Amendment 80 Program</b>	Authorized representative designated by the Amendment 80 cooperative	eFISH	December 31 of the calendar year in which the Amendment 80 CQ landings were made

\*eFISH (credit card, debit card, or electronic check only): <https://alaskafisheries.noaa.gov/webapps/efish/login>.

Mail (check or money order only): Mail option ends on November 30, 2019, for IFQ Program and May 31, 2020, for CR Program.

In 2018, under temporary new OMB Control Number 0648-0758, due to an associated rule, the IFQ Permit Holder Fee Submission Form was revised so that it could be used by the RQE to submit its IFQ fee. This renewal includes these previously approved revisions and includes minor edits to clarify that Block F is not applicable to an RQE.

The IFQ and RCR fee submission forms collect the following information:

**IFQ Permit Holder Fee Submission Form**

Block A—Overpayment

Check if apply overpayment to future fees or issue refund.

Block B—Identification of IFQ Permit Holder or RQE

IFQ permit holder or RQE name, NMFS Person ID, and taxpayer ID

Permanent business mailing address

Business telephone number, fax number, and email address

Block C—Agreement with IFQ Fee Liability Summary

Check if you agree with the summary

Block D—Method of Payment

Check payment method.

Block E—Applicant Signature

Printed name and signature of IFQ permit holder or RQE (if representative, attach authorization)

Date signed

Block F—Fee Calculation (To be completed if permit holder does not agree with IFQ fee liability summary. Is not applicable to an RQE.)

List all permit numbers and associated dates of landing, port locations, IFQ pounds, GAF pounds, standard ex-vessel price, actual ex-vessel price, and total.

**RCR Fee Submission Form**

Block A—Identification of RCR

RCR name, person ID, taxpayer ID, and date of birth or incorporation

All RCR permit numbers held by permit holder

Permanent business mailing address

Business telephone number, fax number, and email address

Block B—Agreement with Crab Fee Liability Summary

Check if you agree with the summary.

Block C—Method of Payment

Check payment method.

Block D—Applicant Signature

Printed name and signature of RCR (if representative, attach authorization)

Date signed

Attachment A—Crab Fee Calculation Worksheet

List all permit numbers and associated month and year of landing, port locations, fishery, species, CR Program, CR pounds, NMFS calculated ex-vessel price, actual ex-vessel price, and total.

**b. Volume and Value Report**

Processors that receive and purchase landings of IFQ halibut or sablefish, rockfish, groundfish, and crab subject to observer and/or cost recovery fees must annually submit an ex-vessel volume and value report that provides information on the pounds purchased and value paid. NMFS uses this information to establish the total ex-vessel value of the fishery, to calculate standard prices, and to establish annual fee percentages in each fishery.

Most of the reports must be submitted electronically through eFISH. Participants access eFISH using their user ID and password issued by NMFS. For each species, the participant enters in the volume and value report the landing month, the pounds landed, and the value of the pounds purchased.

Only the IFQ Register Buyer Ex-vessel Volume and Value Report has an option to submit by mail or fax. To submit payments by mail or fax, a form for this report is available as a fillable pdf on the NMFS Alaska Region website at <https://alaskafisheries.noaa.gov/>.

The IFQ Register Buyer Ex-vessel Volume and Value Report form collects the following information:

Block A—Identification of Registered Buyer

Check yes or no if performed any shoreside activity this IFQ fishing year.

If no, you do not need to submit the report.

Registered Buyer name, permit number, NMFS person ID number, taxpayer ID number, and date of birth or incorporation

Business mailing address: check if permanent or temporary

Business telephone number, fax number, and email address

Block B—Non-Electronic Certification

Printed name and signature of IFQ Registered Buyer Representative (attach authorization)

Date signed

Block C—Pounds Purchased and Value Report

For each period for IFQ halibut, CDQ halibut, and sablefish, list pounds purchased, and total gross ex-vessel value paid

Volume and Value Report	Respondents	Reporting Period	Submission*	Submittal Deadline
IFQ Registered Buyer Ex-vessel Volume and Value Report (IFQ Buyer Report)	IFQ Registered Buyers that operate as shoreside processors and receive and purchase IFQ landings of sablefish or halibut or CDQ landings of halibut	October 1–September 30 of the following year	eFISH Mail Fax	October 15 following the reporting period in which the IFQ Registered Buyer receives the IFQ fish or CDQ halibut
CR Registered Crab Receiver (RCR) Ex-vessel Volume and Value Report	RCR that operates as a shoreside processor or stationary floating crab processor and receives and purchases landings of CR crab for each reporting period in which the RCR receives CR crab	August 1–May 31 of the following year	eFISH	May 15 of the reporting period in which the RCR received the CR crab
Rockfish Ex-vessel Volume and Value Report	Shoreside processors that receive Rockfish Program CQ groundfish	May 1–November 15 of each year	eFISH	December 1 of the year in which the rockfish processor received the rockfish CQ groundfish
Pacific Cod Ex-vessel Volume and Value Report	Shoreside processor designated on an FPP or a mothership designated on an FPP and that processes landings of either CDQ Pacific cod or BSAI Pacific cod harvested by a vessel using trawl gear for each reporting period for which received Pacific cod	January 1–October 31 of the year in which the landings were made	eFISH	November 10 of the year in which the processor or mothership received the Pacific cod
First Wholesale Volume and Value Report	Amendment 80 vessel owner that harvests Amendment 80 and CDQ species, other than Pacific cod, for each reporting period for which the vessel harvests Amendment 80 and CDQ species	All species but rock sole: January 1–October 31  Rock sole (2 reporting periods): January 1–March 31 and April 1–October 31	eFISH	November 10 of the year in which the Amendment 80 vessel received the Amendment 80 species, other than Pacific cod



eFISH: <https://alaskafisheries.noaa.gov/webapps/efish/login>.

Mail: NMFS Alaska Region, Attn: RAM Program, P.O. Box 21668, Juneau, AK 99802-1668.

Fax: 907-586-7354.

### c. Appeals

Any person who receives an initial administrative determination (IAD) for incomplete payment of a cost recovery fee or observer coverage fee may appeal under the appeals procedures set out at 15 CFR part 906.

Administrative appeals of adverse decisions made by NMFS Alaska Region must be submitted to the NMFS National Appeals Office (NAO) in Silver Spring, Maryland. Instructions for submitting an appeal are provided on the NAO website at <https://www.fisheries.noaa.gov/national/rules-and-regulations/appeals>. The appeal may be submitted by fax (307-713-2384) or by mail or commercial carrier to National Appeals Office, 1315 East-West Highway, Silver Spring, MD 20910.

The appeal must be filed not later than 45 days after the date the IAD is issued unless a shorter or longer filing timeframe is explicitly specified in the regulations governing the initial administrative determination.

**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.**

It is anticipated that some of the information collected will be disseminated to the public or used to support publicly disseminated information. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with 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 collects all fees and the volume and value reports online through [eFISH](#). eFISH is NMFS Alaska Region's online Fisheries Information System. In addition to providing a method to pay fees and submit volume and value reports, eFISH provides online access to participants' NMFS permit accounts. eFISH 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; report a GAF landing; and check a GAF permit balance.

Persons have access to eFISH through a User ID and password issued by NMFS. Instructions for using eFISH are posted on the NMFS Alaska Region website at

<https://alaskafisheries.noaa.gov/node/30749>.

**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.**

The burden on all participants is minimized by providing for electronic payment of fees and submission of the volume and value reports. eFISH, the electronic technology used to submit payment and reports, is already used by participants for other reporting and recordkeeping requirements in their fisheries. Electronic payment and submission improves data security, reduces the administrative costs of processing payments and reports, and provides an efficient and more accurate method for persons to submit the fees and reports.

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

This information collection is necessary to comply with the Magnuson-Stevens Act, which requires cost recovery fees to be collected for all LAP and CDQ programs and authorizes observer deployment fees. It would not be possible to carry out the mandates of the Magnuson-Stevens Act and other laws if approval to continue this previously approved collection were to be denied.

**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.**

NMFS published a *Federal Register* notice on August 2, 2018 (83 FR 37796), soliciting public comments. The comment period ended October 1, 2018. No comments were received from the notice.

Two comments were received from respondents through additional solicitation.

One observer coverage fee respondent responded that she had no comments on this collection.

A representative of the AFA mothership sector questioned whether that sector was responsible for paying the AFA Program cost recovery fees due to the recent decision by the U.S. District Court for the District of Alaska in *CP Salmon Corporation, et al. v Wilbur Ross, et al.* The commenter's position was that he would not be liable for the fees. NMFS contacted the commenter and responded that as a result of the Court's decision, the AFA catcher/processor sector will not be subject to cost recovery fees for participation in the AFA Program. However, the AFA mothership sector and inshore sector, who were not parties to the suit, will be subject to AFA cost recovery fees as they have been in the past.

**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.**

The information collected is confidential under section 402(b) of the Magnuson-Stevens Act; and also under [NOAA Administrative Order 216-100](#), which sets forth procedures to protect confidentiality of fishery statistics.

The System of Records Notice that covers this information collection is [COMMERCE/NOAA-19, Permits and Registrations for United States Federally Regulated Fisheries](#). An amended Privacy Act system of records notice was published in the *Federal Register* on August 7, 2015 (80 FR 47457), and became effective September 15, 2015 (80 FR 55327).

Additionally, electronic fee payment improves data security. When making a payment in eFISH, users are redirected to pay.gov. Pay.gov is a secure payment service offered by the Department of Treasury used to process payments for many government agencies, including NMFS. Pay.gov offers the highest level of security for the personal and financial information submitted to pay fees. It uses the latest industry-standard methods and encryption to safely collect, store, and transmit information that is submitted.

By using pay.gov, NMFS does not handle the storage or processing of credit/debit card or bank account information.

**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 Annual Respondents, Responses, Time Burden, and Costs<sup>1</sup>

Information Collection	Number of Respondents	Total Annual Responses	Estimated Time Per Response	Total Annual Burden	Total labor cost (\$37/hr)
Observer Coverage Fee Payment	107	107	1 min eFISH	2 hrs	\$74
<b>Cost Recovery Fee Payments</b>					
<i>IFQ Program</i>	1,896	1,896	1 min eFISH; 30 min non-electronic	30 hrs (1,796 eFISH); 50 hrs (100 non-elec)	-
<i>CR Program</i>	18	18	1 min eFISH; 30 min non-electronic	11 min (11 eFISH); 4 hrs (7 non-elec)	-
<i>Rockfish Program</i>	9	9	1 min eFISH	9 min	-
<i>CDQ Program</i>	6	6	1 min eFISH	6 min	-
<i>AFA Program</i>	8	8	1 min eFISH	8 min	-
<i>Aleutian Islands Pollock Amendment 80 Program</i>	1	1	1 min eFISH	1 min	-
<i>Amendment 80 Program</i>	2	2	1 min eFISH	2 min	-
<b>Cost Recovery Fee Total</b>	<b>1,940</b>	<b>1,940</b>	-	<b>85 hrs</b>	<b>\$3,145</b>
<b>Volume and Value Reports</b>					
<i>IFQ Registered Buyer</i>	53	53	1 min eFISH; 2 hrs non-electronic	1 hr (51 eFISH); 4 hrs (2 non-elec)	-
<i>CR RCR</i>	29	29	1 min eFISH	29 min	-
<i>Rockfish</i>	6	6	1 min eFISH	6 min	-
<i>Pacific Cod</i>	14	16	1 min eFISH	16 min	-
<i>First Wholesale</i>	16	19	1 min eFISH	19 min	-
<b>Volume and Value Report Total</b>	<b>118</b>	<b>123</b>	-	<b>6 hrs</b>	<b>\$222</b>
Appeals	1	1	4 hr	4 hr	\$148
<b>Total for Collection</b>	<b>2,047<sup>2</sup></b>	<b>2,171</b>	-	<b>97 hrs</b>	<b>\$3,589</b>

<sup>1</sup>Differences in the estimated time per response, the total annual burden hours, and total labor cost may occur due to rounding.

<sup>2</sup>Unique respondents

**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).**

Total Annual Miscellaneous Costs

Information Collection	Total Number of Responses	Total Annual Miscellaneous Cost Per Response	Total Annual Miscellaneous Cost
Observer Coverage Fee Payment	107	0	\$0
<b>Cost Recovery Fee Payments</b>			
IFQ Program	1,896	eFISH (0 x 1,886 responses = 0) Postage (.49 x 10 responses = \$4.90) Photocopy (0.05 x 3pp x 10 responses = \$1.50)	-
CR Program	18	eFISH (0 x 11 responses = 0) Postage (.49 x 7 responses = \$3.43) Photocopy (0.05 x 3pp x 7 responses = \$1.05)	-
Rockfish Program	9	0	-
CDQ Program	6	0	-
AFA Program	8	0	-
Aleutian Islands Pollock	1	0	-
Amendment 80 Program	2	0	-
<b>Cost Recovery Fee Total</b>	<b>1,940</b>	<b>-</b>	<b>\$11</b>
<b>Volume and Value Reports</b>			
IFQ Registered Buyer	53	eFISH (0 x 51 responses = 0) Postage (.49 x 1 response = \$0.49) Fax (\$1/page x 2pp x 1 response = \$2) Photocopy (0.05 x 2pp x 1 response = \$0.10)	-
CR RCR	29	0	-
Rockfish	6	0	-
Pacific Cod	16	0	-
First Wholesale	19	0	-
<b>Volume and Value Report Total</b>	<b>123</b>	<b>-</b>	<b>\$3</b>
Appeals	1	Attorney (\$125/hr x 4 hrs = \$500) Postage (\$1.35 x 1 = \$1.35) Photocopy (6pp x 1 x 0.05 = \$0.30)	\$502
<b>Total for collection</b>	<b>2171</b>		<b>\$516</b>

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

Cost recovery fees do not increase agency budgets or expenditures. Under the Magnuson-Stevens Act, NMFS is authorized to collect direct program costs from the participants in cost recovery programs. Therefore, collection of information for these programs does not impose a cost on the Federal Government.

Total Annualized Cost to the Federal Government for Observer Fees and Appeals

Information Collection	Total Annual Responses	Estimated Time Per Response	Total Annual Burden	Total Labor Cost	Total Miscellaneous Costs
Observer Coverage Fee Payment	107	-	247 hrs	\$37/hr x 247 hrs = \$9,139	Postage (\$0.49 x 107 = \$52.43)
Appeals	1	4 hr	4 hr	\$125/hr x 4 hrs = \$500	\$0
<b>Total for Collection</b>	<b>108</b>	<b>-</b>	<b>251 hrs</b>	<b>\$9,639</b>	<b>\$52</b>

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

**Program Changes**

Three temporary collections have been merged into this renewal for 0648-0711. Two resulted in changes to this collection:

- Merging 0648-0727 revises the payment methods for the cost recovery fees.
  - Additionally, in previous supporting statements, the **observer coverage fee** was included with the summary of the cost recovery fee programs. The **observer coverage fee** has been separated out in this renewal because it is not a cost recovery fee program. This changed the presentation of the data but did not affect the collection totals.
- Merging 0648-0758 adds one new respondent, the RQE. The RQE is responsible for paying all cost recovery fees on its annual recreational fishing quota.
- No changes resulted from merging the third collection (0648-0764), which requires a CDQ group to pay an IFQ cost recovery fee on its landings of halibut IFQ received by transfer under the IFQ Program. CDQ groups may receive halibut IFQ by transfer only in years of extremely low halibut commercial catch limits, and this is not expected over the next three years.

## Adjustments

The adjustments reflect:

- the most recent data available,
- merging the temporary collections into this collection,
- the assumption that most people would hire an attorney to file an administrative appeal, and
- that the AFA catcher/processor sector is no longer subject to AFA cost recovery fees due to a recent court decision.

The adjustments also reflect corrections to the burden and costs for non-electronic submissions.

- 0727 was essentially a revision of 0711, but had to be done as a temporary collection because in 2016, a revision to 0711 was already in progress. 0727 reflected almost the same number of responses and burden as those shown in 0711, resulting in a double-counting of the numbers for the collection of this information.
  - 2016: The supporting statement for 0727 adjusted the respondents' miscellaneous costs from \$414 (in 0711) to \$263 (in 0727) based on the payment method changes that would be in effect before 0727 expired in April 2019.
  - 2016: Additionally, the 0711 supporting statement did not include the miscellaneous costs for **non-electronic submission** of the volume and value reports.
- The totals presented in this supporting statement for 0711 decreased the estimated respondents and take into account the cost changes that will occur when the remaining payment method changes take effect in December 2019 and June 2020. Paper checks, money orders, and bank-certified checks will no longer be authorized payment methods, which will reduce the respondents' miscellaneous costs associated with fee payment. All respondents will be required to submit fee payments electronically.
- This renewal includes the hours and costs for non-electronic submission of the IFQ Program and CR Program cost recovery fees through December 2019 and June 2020, respectively, after which it will no longer be allowed.
- This renewal also includes the hours and costs for non-electronic submission of the IFQ Registered Buyer Ex-vessel Volume and Value Report. **As it takes longer to submit non-electronic payments and reports, the burden hours and labor costs for these are increased despite the decrease in annual respondents and responses.** The estimated time per non-electronic response and the estimated annual number of non-electronic submissions are provided under #12 of this supporting statement.

## Summary of Current and Previous Requests

	Respondents				Responses				Burden Hours			
	0711 (2019)	0758*	0727	0711 (2016)	0711 (2019)	0758*	0727	0711 (2016)	0711 (2019)	0758*	0727	0711 (2016)
Observer Coverage Fee Payment	107	-	0	0	107	-	0	0	2	-	0	0
Cost Recovery Fee Payments	1940	1	2182	2182	1940	1	2182	2182	85	1	36	36
Volume and Value Reports	118	-	187	187	123	-	187	187	6	-	3	3
Appeals	1	-	1	1	1	-	1	1	4	-	4	4
<b>Total for Collection</b>	<b>2,047<sup>†</sup></b>	<b>1</b>	<b>2,182<sup>†</sup></b>	<b>2,182<sup>†</sup></b>	<b>2,171</b>	<b>1</b>	<b>2,370</b>	<b>2,370</b>	<b>97 hrs</b>	<b>1 hr</b>	<b>43 hrs</b>	<b>43 hrs</b>

\*This does not include the components of 0758 that are being merged into 0648-0272.

<sup>†</sup> Unique respondents

	Labor Costs				Miscellaneous Costs			
	0711 (2019)	0758*	0727	0711 (2016)	0711 (2019)	0758*	0727	0711 (2016)
Observer Coverage Fee Payment	74	-	0	0	0	-	0	0
Cost Recovery Fee Payments	3,145	37	1332	1332	11	0	263	414
Volume and Value Reports	222	-	111	111	3	-	12	0
Appeals	148	-	148	148	502	-	2	2
<b>Total for Collection</b>	<b>\$3,589</b>	<b>\$37</b>	<b>\$1,591</b>	<b>\$1,591</b>	<b>\$516</b>	<b>0</b>	<b>\$277</b>	<b>\$416</b>

\*This does not include the components of 0758 that are being merged into 0648-0272.

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

Final administrative appeal decisions with redactions are posted on the NMFS National Appeals Office website at <https://www.fisheries.noaa.gov/national/rules-and-regulations/appeals>. No other information collected will 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.

## **B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**



This collection does not employ statistical methods.