

**SUPPORTING STATEMENT  
ALASKA REGION AMENDMENT 80 PROGRAM  
OMB CONTROL NO. 0648-0565**

This action requests revision and extension of a currently approved information collection. The title of this collection is changed from Alaska Region Amendment 80 Permits and Reports to more accurately reflect its contents. Reports are no longer included in this collection. This information collection contains applications for permits and transfers used to manage the Amendment 80 Program. It also contains the appeals process for an application that is denied.

**INTRODUCTION**

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 the National Oceanic and Atmospheric Administration/National Marine Fisheries Service (NMFS). NMFS Alaska Region manages the EEZ off Alaska under the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI FMP) and the Fishery Management Plan for Groundfish of the Gulf of Alaska. The North Pacific Fishery Management Council (Council) prepared these fishery management plans under the authority of the Magnuson-Stevens Act. Regulations implementing the groundfish fishery management plans appear at [50 CFR parts 600 and 679](#).

The Council adopted Amendment 80 to the BSAI FMP in June 2006 ([72 FR 52668, September 14, 2007](#)). Amendment 80 allocates several Bering Sea and Aleutian Islands (BSAI) non-pollock trawl groundfish species among trawl fishery sectors, established a limited access privilege program (LAPP), and facilitated the formation of harvesting cooperatives in the non-American Fisheries Act (non-AFA) trawl catcher/processor sector.

The BSAI groundfish species directly affected by Amendment 80 include Atka mackerel, Aleutian Islands Pacific ocean perch, flathead sole, Pacific cod, rock sole, and yellowfin sole. In addition, Amendment 80 modified the management of halibut and crab prohibited species catch limits.

The Amendment 80 Program (A80 Program) encourages the formation of cooperatives and cooperative fishing practices among all persons holding A80 quota share (QS) permits. Cooperatives, which receive allocations of cooperative quota (CQ), allow vessel operators to make operational choices to improve fishery returns, reduce prohibited species catch usage, and reduce fish discards. Two cooperatives have been established under this program; however, since 2018, all A80 vessels have been operating under one cooperative, the Alaska Seafood Cooperative.

The A80 Program is intended to meet the following broad goals:

- improve retention and utilization of fishery resources by the non-AFA trawl catcher/processor fleet by extending the groundfish retention standard (GRS) to non-AFA trawl catcher/processor vessels of all lengths;
- allocate fishery resources among BSAI trawl harvesters in consideration of historic and present harvest patterns and future harvest needs;
- authorize the allocation of groundfish species to harvesting cooperatives and establish a LAPP for the non-AFA trawl catcher/processors to reduce potential GRS compliance costs, encourage fishing practices with lower discard rates, and improve the opportunity for increasing the value of harvested species; and
- limit the ability of non-AFA trawl catcher/processors to expand their harvesting capacity into other fisheries not managed under a LAPP.

On January 5, 2016, NMFS published a final rule to implement cost recovery payments for the A80 Program (81 FR 150). A80 cooperatives are responsible for paying the annual fee for groundfish landed under the Amendment 80 Program. The cost recovery fee is approved under OMB Control Number 0648-0711.

**A. JUSTIFICATION**

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

This information collection is necessary for NMFS Alaska Region to manage the A80 Program.

NMFS uses this information to establish eligibility to receive A80 QS, CQ, and permits; transfer and assign harvest quota; replace vessels used in the A80 Program; determine A80 species initial total allowable catch assignments; determine which vessels must be tracked for catch accounting; and review ownership and control information to ensure that QS and CQ use caps are not exceeded.

Other information to management the Amendment 80 Program is collected under the following Office of Management and Budget (OMB) control numbers:

- 0648-0678: Alaska Council Cooperative Annual Reports
- 0648-0700: Gulf of Alaska Catcher Vessel and Processor Trawl Economic Data Report
- 0648-0711: Alaska Quota Cost Recovery Programs

This information collection contains the following applications, permits, and reports:

	Requirement	Form? <sup>1</sup>	Submission Method <sup>2</sup>
Application for A80 Quota Share	50 CFR 679.4(o), 679.90(b)	Y	mail, delivery, or fax
Application for A80 Limited Access Permit	50 CFR 679.4(o)(3), 679.91(b)	Y	mail, delivery, or fax
Application for A80 CQ Permit	50 CFR 679.4(o)(2), 679.91(b)	Y	mail, delivery, or fax
Application to Transfer A80 QS	50 CFR 679.90(f)	Y	mail, delivery, or fax
Application for Inter-Cooperative	50 CFR 679.91(g)	Y	eFISH, mail,

Transfer of A80 CQ			delivery, or fax
Flatfish Exchange Application	50 CFR 679.4(p)	N	eFISH
Application for A80 Vessel Replacement	50 CFR 679.4(o)(4)	Y	mail, delivery, or fax
Appeals <sup>3</sup>	15 CFR 906	N	mail, delivery, or fax

<sup>1</sup> Forms are available as fillable pdfs on the [NMFS Alaska Region website](#).

<sup>2</sup> eFISH: <https://alaskafisheries.noaa.gov/webapps/efish/login>

**Mail:** NMFS Alaska Region, Restricted Access Management, P.O. Box 21668, Juneau, AK 99802-1668

**Delivery:** 709 West 9<sup>th</sup> Street, Room 713, Juneau, AK, 99801

**Fax:** (907) 586-7354

**Email:** [RAM.Alaska@noaa.gov](mailto:RAM.Alaska@noaa.gov)

<sup>3</sup> **Mail or delivery:** National Appeals Office, 1315 East-West Highway, Silver Spring, MD 20910; **Fax:** (307) 713-2384

**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.**

**a. Application for Amendment 80 Quota Share (QS) [adjusted]**

The Application for Amendment 80 QS is used by an individual or business entity to apply for an initial allocation of A80 QS and an A80 QS permit. An A80 QS permit authorizes the QS holder to participate in an A80 fishery.

NMFS uses information from a complete application to determine eligibility under § 679.90(a) (2) for the applicant to receive A80 QS. To receive A80 QS, the applicant must be either the owner of an A80 vessel or the holder of an A80 License Limitation Program (LLP) license originally assigned to an A80 vessel that is no longer able to be used in the A80 Program due to actual total loss, total constructive loss, or is permanently ineligible to receive a fishery endorsement under 46 U.S.C. 12108. If the A80 vessel does not fit these requirements, the A80 QS derived from that vessel's catch must be applied for by the owner of the vessel.

A complete application for A80 QS must be received by NMFS no later than 1700 hours, Alaska local time (A.l.t.), on October 15 of the year prior to the fishing year for which the applicant is applying, or if sent by U.S. mail, postmarked by that time. Applications received or postmarked after the deadline are not eligible to receive an A80 QS permit for the upcoming fishing year.

An A80 QS permit is valid indefinitely. Once an applicant has been approved by NMFS, resubmission of the application is not required.

The application was revised to include a field for taxpayer identification number as it is required for a complete application under § 679.90(b)(4)(i).

**Application for A80 Quota Share**

Indicate the type of application

**Block A – Applicant identification**

Applicant name, Tax ID, and NMFS person ID

Permanent business mailing address  
 Business telephone number, business fax number, and business e-mail address  
 If applicant is a U.S. citizen, enter date of birth  
 If applicant is a U.S. corporation, partnership, association, or other business entity, enter the date of incorporation  
 If applicant is a successor-in-interest to a deceased individual or to a non-individual no longer in existence, attach evidence of death or dissolution

**Block B – Agreement with A80 Official Record**

Indicate whether you  
 agree with the A80 Official Record Summary,  
 do not agree with the A80 Official Record Summary, or  
 did not receive an A80 Official Record Summary from NMFS

**Block C – Owner of A80 Vessel**

Enter following information for each A80 vessel  
 Vessel name  
 LLP Number  
 ADF&G Registration Number  
 USCG Documentation Number

**Block D – Holder of A80 LLP license**

May only receive an initial allocation of A80 QS if A80 vessel originally assigned to each license is no longer able to participate in A80 due to actual total loss, total constructive loss, or is permanently ineligible to receive a fishery endorsement under 46 USC 12108

List each A80 LLP license number for which applying for A80 QS, and the name, ADF&G registration number, and USCG documentation number of A80 vessel originally assigned to each license.

**Block E – Applicant certification**

Printed name and signature of applicant or authorized representative and date signed  
 If representative, attach authorization

**Attachments:**

documentation that the A80 vessel has suffered an actual total loss, total constructive loss, or is permanently ineligible to receive a fishery endorsement under 46 U.S.C. 12108.  
 if the holder of the LLP license is not the same person(s) who owns the A80 vessel, a copy of a written contract held by the applicant that clearly and unambiguously indicates that the owner of the A80 vessel that has suffered an actual total loss, total constructive loss, or is permanently ineligible to receive a fishery endorsement under 46 U.S.C. 12108 has transferred all rights and privileges to use A80 legal landings and any resulting A80 QS or exclusive harvest privilege from that A80 vessel to the person holding the A80 LLP license originally assigned to that A80 vessel.

In 2018, there were 18 A80 QS holders. No applications have been submitted in the last three years. For purposes of this analysis, one respondent is used.

<b>Application for A80 QS, Respondent</b>	
<b>Number of respondents</b>	<b>1</b>
<b>Total annual responses</b> (1 respondent x 1 response) Annual responses per respondent = 1	<b>1</b>
<b>Total burden hours</b> Time per response = 2 hr	<b>2 hrs</b>
<b>Total personnel cost</b> (\$37/hr x 2)	<b>\$74</b>
<b>Total miscellaneous costs</b> (4.75) Postage (0.55 x 1 = 0.55) Photocopy (0.15 x 1 x 28pp form + contract = 4.20)	<b>\$5</b>

**b. Application for A80 Limited Access Fishery Permit [adjusted]**

The Application for A80 Limited Access Fishery Permit is used by an A80 QS holder to annually request an A80 limited access fishery permit. An A80 limited access fishery permit authorizes the QS holder to catch, process, and receive A80 species assigned to the A80 limited access fishery, or use halibut and crab prohibited species catch assigned to the A80 limited access fishery, for the specified fishing year. A legible copy of this permit must be carried on board an A80 vessel assigned to the A80 limited access fishery when fishing in the BSAI or adjacent waters open by the State of Alaska for which it adopts a Federal fishing season.

NMFS uses information from a complete application to determine eligibility for the QS holder to receive an A80 limited access fishery permit and to assign the permit.

NMFS will issue an A80 limited access fishery permit to an A80 QS holder that has submitted an Application for A80 Limited Access Fishery Permit that has been approved by NMFS, and has submitted a complete and timely Annual Trawl Catcher/Processor Economic Data Report (EDR) (approved under OMB Control Number 0648-0700).

The A80 QS holder must submit an EDR for all A80 QS permits held during the previous calendar year. The EDR submission deadline is June 1 of the year following the year during which the A80 QS permit was held.

The Application for A80 Limited Access Fishery Permit must be submitted annually and received by NMFS no later than 1700 hours A.l.t. on November 1 of the year prior to the year for which the applicant wishes to participate in an A80 fishery. If sent by U.S. mail, the application must be postmarked by that time.

The application was revised to include a field for taxpayer identification number as it is required for a complete application under § 679.91(b)(5)(i).

**Application for A80 limited access fishery permit**

**Block A – Applicant identification.**

- Applicant's name, tax ID number, and NMFS person ID
- Permanent business mailing address
- Business telephone number, business fax number, and business e-mail address

**Block B – A80 Vessel identification.**

- Name, ADF&G vessel registration number, and USCG documentation number of applicant's vessel

**Block C – A80 LLP identification**

- A80 LLP license number(s) held by the applicant

**Block D – A80 QS permit information**

- A80 QS permit number(s) held by the applicant that will be used

**Block E – A80 QS ownership documentation.**

- Names of all persons, to individual level, holding an ownership interest in the A80 QS permit
- Percentage ownership each person holds in the A80 QS permit

**Block F – EDR Submission**

- Indicate whether the applicant has submitted a timely and complete EDR for each A80 QS permit

**Block G – Applicant certification.**

- Applicant or authorized representative printed name, signature, and date signed.
- If completed by authorized representative, **attach** authorization.

No A80 limited access fishery permits have been issued since 2010. For purposes of this analysis, one respondent is used.

<b>Application for an A80 limited access fishery permit, Respondent</b>	
<b>Number of respondents</b>	<b>1</b>
<b>Total annual responses</b> (1 respondent x 1 response)	<b>1</b>
Annual responses per respondent = 1	
<b>Total burden hours</b>	<b>2 hr</b>
Time per response = 2 hr	
<b>Total personnel cost</b> (\$37/hr x 2)	<b>\$74</b>
<b>Total miscellaneous costs</b> (1.30)	<b>\$1</b>
Postage (0.55 x 1 = 0.55)	
Photocopy cost (0.15 x 1 x 5pp = 0.75)	

**c. Application for Cooperative Quota Permit [adjusted]**

The Application for CQ Permit is used by an A80 cooperative to annually request an A80 CQ permit. An A80 CQ permit authorizes an A80 cooperative to participate in the A80 Program for the specified fishing year. A legible copy of the A80 CQ permit must be carried on board an A80 vessel assigned to an A80 cooperative when fishing in the BSAI or adjacent waters open by the State of Alaska for which it adopts a Federal fishing season.

NMFS uses information from a complete application to determine eligibility for an A80 CQ permit, assign CQ to A80 cooperatives prior to the fishing year, determine the A80 species initial total allowable catch assignments to the A80 limited access fishery, determine which vessels must be tracked for catch accounting, and review ownership and control information for various QS holders to ensure that QS and CQ use caps are not exceeded.

NMFS will issue a CQ permit to an A80 cooperative that has submitted an Application for CQ Permit that has been approved by NMFS, and whose members have each submitted a complete and timely EDR (approved under OMB Control Number 0648-0700).

Each member of the A80 cooperative must submit an EDR for all A80 QS permits held by that person during the previous calendar year. The EDR submission deadline is June 1 of the year following the year during which the A80 QS permit was held.

An A80 cooperative must designate an authorized representative to be responsible for annually submitting the Application for CQ Permit on behalf of its members. The application must be received by NMFS no later than 5:00 p.m., A.l.t., on November 1 of the year prior to the year for which the applicant wishes to participate in an A80 fishery. If sent by U.S. mail, the application must be postmarked by that time.

The application form was corrected to request the permanent address, not the permanent or temporary address, as required in § 679.91(b)(4).

**Application for A80 CQ Permit**

**Attachment:** A copy of the cooperative membership agreement or contract must be provided with this application.

Block A – Cooperative identification.

- Cooperative's legal name
- Type of business entity under which the A80 Cooperative is organized
- State in which the A80 Cooperative is legally registered as a business entity
- Permanent business address
- Business telephone number, business fax number, and e-mail address (if available)
- Printed name of A80 designated representative

Block B – Members of the A80 Cooperative

- Full name and NMFS Person ID 1of all members
- A80 QS Permit Number(s)
- Names of all persons, to the individual level, holding an ownership interest in the QS Permit
- Percentage ownership each person holds in the A80 QS Permit(s)

Block C – Identification of A80 cooperative member vessels and A80 LLP licenses

- Vessel name
- ADF&G vessel registration number and USCG documentation number
- A80 LLP number

Block D – 1Identification of vessels on which the CQ issued to the A80 Cooperative will be used

- Vessel name
- ADF&G vessel registration number and USCG documentation number

Block E – EDR submittal

Indicate whether the each member submitted a timely and complete EDR for each A80 QS permit

Block F – Certification of cooperative authorized representative

- Printed name and signature of cooperative authorized representative and date signed
- Attach explicit authorization to complete application on behalf of cooperative members

<b>Application for A80 CQ permit, Respondent</b>	
<b>Number of respondents</b>	<b>1</b>
1 A80 cooperative	
<b>Total annual responses</b> (1 respondent x 1 response)	<b>1</b>
Annual responses per respondent = 1	
<b>Total burden hours</b>	<b>2 hrs</b>
Time per response = 2 hr	
<b>Total personnel cost</b> (\$37/hr x 2)	<b>\$74</b>
<b>Total miscellaneous costs</b> (4.75)	<b>\$5</b>
Postage (0.55 x 1 = 0.55)	
Copy (0.15 x 28pp [form & contract] = 4.20)	

**d. 1Application to Transfer A80 QS [adjusted]**

Annually, an A80 QS holder may choose to transfer his or her A80 QS permit to another person, to the LLP license originally assigned to the A80 vessel, or to a replacement vessel. A80 QS units are non-severable from the permit to which they are assigned; therefore, if transferred, the A80 QS permit must be transferred in its entirety to the transferee.

A80 QS holders use the Application to Transfer A80 QS to transfer their QS in one of three ways:

- Transfer the A80 vessel and the QS permit assigned to that A80 vessel to another person eligible to own a U.S. fishing vessel (i.e., document that A80 vessel under U.S. Department of Transportation, Maritime Administration regulations).
- Transfer the A80 QS permit to the LLP license originally issued for that A80 vessel on the actual loss, total constructive loss, or permanent ineligibility of the A80 vessel assigned QS. Clear and unambiguous written documentation must be attached from which NMFS can verify that the A80 vessel for which that A80 LLP license was originally assigned is no longer able to be used in the A80 Program.
- Transfer an A80 LLP license with QS assigned to it to another person through the existing LLP transfer provisions (see 50 CFR 679.4(k)(7)). All A80 QS units for all A80 species on that A80 QS permit must be transferred in their entirety. An A80 QS permit assigned to an A80 LLP license as an endorsement on that LLP license may not be transferred separately from that A80 LLP license.

NMFS uses information from a complete application to determine eligibility for the transfer, transfer the QS and permit, and track ownership and use cap accounting.

In 2016, OMB approved a change to this application because the fields for collecting information to transfer the QS permit to a replacement vessel had been inadvertently omitted. Block E was added to the application, and that change is reflected in this supporting statement.

**Application to Transfer A80 QS**

Indicate the type of transfer being requested

Block A – Identification of transferor

- Name and NMFS person ID
- Business mailing address; indicate whether permanent or temporary
- Business telephone number, business fax number, and e-mail address

Block B – Identification of transferee

- Name and NMFS person ID
- Business mailing address; indicate whether permanent or temporary
- Business telephone number, fax number, and e-mail

Block C – Transfers of A80 QS permits to another person

Identify A80 QS Permit(s) being transferred

Block D – Transfers of A80 QS to an A80 LLP license

- Identify A80 LLP license to which the A80 QS Permit is transferring
- Identify A80 QS Permit(s) being transferred

Block E – Transfer of an A80 QS permit to a replacement vessel

- Name of replacement vessel
- ADF&G registration number of replacement vessel
- USCG registration number of replacement vessel
- Name of owner(s) of replacement vessel

Block F – Certification of transferor.

- Transferor or authorized representative signature, printed name, and date signed
- If representative, attach authorization

Block G – Certification of transferee

- Transferee or authorized representative signature, printed name, and date signed
- If representative, **attach** authorization

**Attachments:**

If transferring A80 QS from an A80 QS permit to the A80 LLP license originally assigned to that A80 vessel, provide clear and unambiguous written documentation that can be verified by NMFS that the A80 vessel for which that A80 LLP license was originally issued is no longer able to be used in the A80 Program due to the



actual loss, constructive total loss, or permanent ineligibility of that vessel of that vessel to receive a fishery endorsement

If transferring an A80 QS permit to another person, attach abstract of title or USCG documentation that clearly and unambiguously indicates that the A80 QS transferee is named on the abstract of title or USCG documentation as the owner of the A80 vessel to which that A80 QS permit would be assigned Original QS Permit(s) being transferred

The application is completed by two respondents, the transferor and the transferee. NMFS estimates three applications will be submitted annually, resulting in a total of six respondents.

<b>Application to Transfer A80 QS, Respondent</b>	
<b>Number of respondents</b> 2 respondents per response (transferor and transferee)	<b>6</b>
<b>Total annual responses</b>	<b>3</b>
<b>Total burden hours</b> Time per response = 2 hrs	<b>6 hrs</b>
<b>Total personnel cost</b> (\$37/hr x 6)	
<b>Total miscellaneous costs</b> (11.60)	<b>\$222</b>
Postage (0.55 x 2 = 1.10)	<b>\$12</b>
Photocopy cost (0.15 x 5 pp x 6 = 4.50)	
FAX cost (\$6 x 1 = 6)	

**e. Application for Inter-Cooperative Transfer of A80 CQ [adjusted]**

The Application for Inter-Cooperative Transfer of A80 CQ is used for transfer of A80 CQ between cooperatives. An 1A80 cooperative may transfer all or part of its CQ to another A80 cooperative during a calendar year with the following restrictions:

- May only transfer CQ to another A80 cooperative;
- May only receive CQ from another A80 cooperative; and
- When receiving A80 species CQ by transfer, must assign that A80 species CQ to a member(s) of the A80 cooperative for the purposes of use caps calculation as established under § 679.92(a).

NMFS uses information from a complete application to determine eligibility for the transfer and transfer the A80 CQ.

For the transfer to be approved, both parties must be already established and recognized by NMFS as an A80 cooperative, and all parties to the proposed transfer (transferor, transferee, and the receiving qualifying member) have met all the requirements and conditions of the A80 Program.

These requirements include annual submission of a complete and timely EDR (approved under OMB Control Number 0648-0700). Each member of an A80 cooperative must submit an EDR for all A80 QS permits held during the previous calendar year. The EDR submission deadline is June 1 of the year following the year during which the A80 QS permit was held.

All intended transfers between the A80 cooperatives are included on one transfer application.

The Application for Inter-Cooperative Transfer of A80 CQ must be submitted annually and received by NMFS no later than 1700 hours, A.l.t., on November 1 of the year prior to the year for which the cooperatives intend the transfer to be effective. If sent by U.S. mail, the application must be postmarked by that time. In recent years, all have been submitted electronically through eFISH.

When submitting the application through eFISH, each respondent (transferor and transferee) must log in to the system and provide their NMFS Person ID, password, and transfer key to certify that all information is true, correct, and complete. This information is provided by NMFS after an applicant is approved for participation in the A80 Program.

NMFS will notify the transferor and transferee once the application has been received and approved.

**Application for Inter-Cooperative Transfer of A80 CQ**

Block A - Transferor information

- Name and NMFS Person ID
- Name of designated representative
- Business mailing address; indicate whether permanent or temporary
- Business telephone number, business fax number, and business e-mail address
- Indicate whether transferor submitted an EDR, if required to do so under § 679.94

Block B - Transferee information

- Name and NMFS Person ID
- Name of designated representative
- Business mailing address; indicate whether permanent or temporary
- Business telephone number, business fax number, and business e-mail address
- Indicate whether transferee submitted an EDR, if required to do so under § 679.94

Block C<sup>1</sup> - Identification of A80 CQ to be transferred (leased) to transferor cooperative member(s)

- A80 Species CQ
  - Type of CQ (Area/Species)
  - Amount (mt)
- A80 PSC CQ
  - Type of PSC (Area/Species)
  - Amount (mt)
- Number of QS units

Block C<sup>2</sup> - Identification of Amendment 80 transferee cooperative member(s)

- Name and NMFS Person ID of the qualifying member(s)
- Species
- Amount of CQ

Block D - Certification of transferor

- Transferor's designated representative signature, printed name, and date signed
- Attach representative's authorization

Block E - Certification of transferee

- Transferee's designated representative signature, printed name, and date signed
- Attach representative's authorization

In 2018, all A80 vessels operated under one cooperative. No additional cooperatives are expected during the 3-year period of this renewal; therefore, no inter-cooperative transfer applications are expected to be submitted.

**Application for Inter-Coop CQ Transfer, Respondent**

<b>Number of respondents</b>	<b>0</b>
2 per response (transferor and transferee)	
<b>Total annual responses</b>	<b>0</b>
<b>Total burden hours</b>	<b>0</b>
Time per response = 2 hrs	
<b>Total personnel cost</b> (\$37/hr x 0)	<b>\$0</b>
<b>Total miscellaneous costs</b>	<b>\$0</b>
Online = 0	

#### **f. Flatfish Exchange Application [adjusted]**

A Western Alaska Community Development Quota (CDQ) group or A80 cooperative may exchange a portion of its flatfish (yellowfin sole, rock sole, flathead sole) harvest quota for an equal amount of another of these three flatfish species. Exchanging flatfish harvest quota increases the ability of these entities to more fully harvest their allocations. A CDQ group or A80 cooperative uses the Flatfish Exchange Application to exchange its flatfish harvest quota.

NMFS uses the information from a complete application to determine eligibility for the exchange and exchange the harvest quota. The entity requesting the exchange must have sufficient quota and acceptable biological catch (ABC) reserve available for exchange. NMFS approval of a Flatfish Exchange Application is required prior to an entity using the quota subject to the exchange.

No flatfish exchange may take effect until NMFS publishes notification in the *Federal Register* with a statement of the findings on which the apportionment or adjustment is based. This provision provides clear notification to the public and the affected CDQ group or A80 cooperative that the Flatfish Exchange Application has been approved, and displays the resulting adjustment in CDQ ABC reserve and CDQ allocation for that CDQ group, or the resulting adjustment in A80 ABC reserve and CQ for that A80 cooperative. An approved flatfish exchange is effective on the date of publication of the notice in the *Federal Register*.

Each CDQ group or A80 cooperative is limited to three exchanges per calendar year. The application is submitted during the calendar year that the flatfish exchange would be effective and is effective only for the remainder of the calendar year in which the exchange occurs.

#### **Flatfish Exchange Application**

Date of transfer request

Fishing year

Type of participant

#### **Block A – CDQ Group or A80 Cooperative Information**

Name

CDQ Group or A80 Cooperative ID Number

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

Representative name and signature

#### **Block B – Amount Exchanged**

Adjustment to ABC Reserve Amount

Species code

Amount (if CDQ, nearest 0.001 mt; if A80, nearest mt)

Adjustment to CQ Amount

Species code

Amount (if CDQ, nearest 0.001 mt; if A80, nearest mt)

**Block C – Certification**

Signature and printed name of designated representative

Date signed

<b>Flatfish Exchange Application, Respondent</b>	
<b>Number of respondents</b>	<b>7</b>
1 A80 cooperative	
6 CDQ groups	
<b>Total annual responses</b> (7 respondents x 3 responses)	<b>21</b>
Responses per respondent = 3	
<b>Total burden hours</b>	<b>2 hrs</b>
Time per response = 5 min	
<b>Total personnel cost</b> (\$37/hr x 2)	<b>\$74</b>
<b>Total miscellaneous costs</b>	<b>\$0</b>
Online (21 x 0 = 0)	

**g. Application for A80 Vessel Replacement [adjusted]**

An A80 vessel owner uses the Application for A80 Vessel Replacement to replace an A80 vessel. The owner of an A80 vessel may replace a vessel for any purpose. The replacement vessel will be eligible to participate in the A80 fisheries in the same manner as the original vessel. The owner of the replacement vessel is responsible for all monitoring, enforcement, permitting, recordkeeping and reporting, prohibitions, and general sideboard measures that apply to A80 vessels in the Gulf of Alaska or BSAI.

NMFS uses information from a complete application to determine eligibility of the vessel to be replaced and of the replacement vessel. NMFS will approve a vessel as an A80 replacement vessel following the submission and approval of a complete Application for A80 Vessel Replacement, provided that only one vessel is used as a replacement for any one replaced vessel at a given time and that the replacement vessel:

- Does not exceed 295 feet length overall;
- Was built in the United States and, if ever rebuilt, rebuilt in the United States;
- Is classed and loadlined or meets the requirements of the U.S. Coast Guard Alternative Compliance and Safety Agreement; and
- Is not listed at section 208(e)(1) through (20) of the AFA or permitted under paragraph (1)(2)(i) of this section; is not an AFA replacement vessel designated on a listed AFA catcher/processor permit under paragraph (1)(2) of this section; and is not an AFA catcher vessel permitted under paragraph (1)(3) of this section.

The applicant must complete a separate application for each vessel to be replaced.

**Application for A80 Vessel Replacement**

Block A - Identification of the A80 vessel being replaced

Vessel

Name

ADF&G vessel registration number  
 USCG documentation number  
 A80 QS permit number  
 Last year in which vessel harvested or processed groundfish in an A80 fishery  
 Name and NMFS person ID number of applicant  
 Business mailing address; indicate whether permanent or temporary  
 Business telephone number, Business Fax number, and Business e-mail address of owner(s)  
 Indicate one:  
 vessel was lost at sea;  
 vessel is permanently ineligible to participate; or  
 not applicable

**Block B -Identification of the A80 replacement vessel**

Vessel name  
 ADF&G vessel registration number and USCG documentation number  
 Indicate YES or NO whether vessel is classed  
 Indicate YES or NO whether vessel is loadlined  
 If the replacement vessel cannot be classed and loadlined, does the vessel meet the requirements of the USCG Alternative Compliance and Safety Agreement  
 Indicate YES or NO whether the vessel was built in the United States  
 Indicate YES or NO whether the vessel has ever been rebuilt  
**If YES**, whether it was rebuilt in the United States  
 Name and NMFS person ID number of vessel owner  
 Business mailing address(es); indicate whether permanent or temporary  
 Business telephone number(s), business fax number(s), and business e-mail address(es) of the owner(s)

**Block C - Applicant signature and certification**

Printed name and signature of applicant, title, and date signed  
 If designated representative, **attach** authorization

**Attachments**

To demonstrate vessel ownership, **attach**  
 For USCG Documented Vessels, a copy of the USCG Abstract of Title or Certificate of Documentation  
 For undocumented vessels, a copy of the State of Alaska vessel license or registration.

<b>Application for A80 Vessel Replacement, Respondent</b>	
<b>Number of respondents</b>	<b>1</b>
<b>Total annual responses</b> (1 respondent x 1 response) Responses per respondent = 1	<b>1</b>
<b>Total burden hours</b> Time per response = 2 hr	<b>2 hrs</b>
<b>Total personnel cost</b> (\$37/hr)	<b>\$74</b>
<b>Total miscellaneous costs</b> (1.00) Postage (0.55 x 1 = .55) Photocopy cost (0.15 x 3 pp x 1 = .45)	<b>\$1</b>

**h. A80 cooperative report [moved to 0648-0678]**

1An A80 cooperative issued a CQ permit must annually submit to the Regional Administrator an A80 cooperative report detailing the use of the cooperative’s CQ, including the actual retained and discarded catch of CQ species and Gulf of Alaska sideboard species. In 2017, this report was moved to OMB Control Number 0648-0678, Alaska Council Cooperative Annual Reports. OMB approved this change on January 10, 2017.

**i. Appeals [adjusted]**

NMFS will issue an Initial Administrative Determination (IAD) to an applicant whose application has been denied. The applicant may appeal that IAD under the appeals procedures at 15 CFR 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 NMFS 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.

The respondent’s costs have been adjusted to reflect that most persons would hire an attorney to file an administrative appeal.<sup>1</sup>

<b>Appeals, Respondent</b>	
<b>Number of respondents</b>	<b>1</b>
<b>Total annual responses (1 respondent x 1 respondent)</b>	<b>1</b>
Number responses per respondent = 1	
<b>Total burden hours</b>	<b>4 hrs</b>
Time per response = 4 hr	
<b>Total personnel cost</b> (\$37/hr x 4)	<b>\$148</b>
<b>Total miscellaneous costs</b> (501.15)	<b>\$501</b>
Attorney (\$125/hr x 4 = \$500.00)	
Postage (0.55 x 1 = 0.55)	
Photocopy cost (0.15 x 4 pp x 1 = 0.60)	

**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.**

Applicants must submit the Flatfish Exchange Application, and may submit the Application for Inter-cooperative Transfer of A80 CQ, online through eFISH. eFISH is NMFS Alaska Region's online Fisheries Information System. In addition to providing a method to submit applications, 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>.

All of the applications are available as fillable pdfs on the [NMFS Alaska Region](#) website. Other than the Flatfish Exchange Application, all may be printed and submitted by mail or fax. eFISH must be used to enter and submit information for the Flatfish Exchange Application.

**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.**

NMFS attempts to minimize the burden of this collection on all respondents by collecting only information necessary to manage the Amendment 80 Program. The burden on all participants is minimized by providing for electronic submission of the applications when possible. Applications in this collection are available online as fillable pdfs. A toll-free phone number is available for participants to contact the NMFS Restricted Access Management Program for help or information on the elements in this information collection.

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

Without this information collection, it would not be possible to effectively manage the A80 Program or fulfill the intent of the Magnuson-Stevens Act and other laws.

This collection describes a structure to allow the non-AFA trawl catcher/processors to form cooperatives, thus facilitating bycatch reduction and improved utilization. Without the specified permitting scheme described in this supporting statement, the A80 Program would be jeopardized. The lack of adequate information to manage the A80 Program would result in the fishery management decision-making process being less objective, more political, and potentially

less equitable. This would decrease the credibility of the fishery management process and result in an unnecessarily costly and ineffective management system.

**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.**

A *Federal Register* Notice published on October 9, 2018 (83 FR 50645), solicited public comments on the information collection. The comment period ended December 10, 2018. One comment, submitted by the Alaska Seafood Cooperative, was received from the notice. NMFS Alaska Region contacted A80 Program participants for additional comments; one comment was received.

*Comment 1:* Both commenters noted that it is not clear how the information from the A80 cooperative report is used. The cooperative report is time consuming and composed of detailed information that the agency already receives through other information collections. There is only one cooperative at this time. If this report continues, being able to submit the report online would help ease the burden of collection.

*Response:* NMFS acknowledges this comment. 1An A80 cooperative issued a CQ permit must annually submit to the Regional Administrator an A80 cooperative report detailing the use of the cooperative's CQ, including the actual retained and discarded catch of CQ species and Gulf of Alaska sideboard species. In 2017, this report was moved to OMB Control Number 0648-0678, Alaska Council Cooperative Annual Reports. OMB approved this change on January 10, 2017. The collection for 0648-0678 expires December 31, 2019, and this comment will be considered by NMFS during the renewal of that collection.

*Comment 2:* Since the last renewal of this collection, changes have occurred within the A80 sector. Vessels are operating exclusively within a single cooperative at this time. Estimates of burden should be changed to reflect the change to a single cooperative. A reduction may be appropriate to the following categories:

- Flatfish Exchange Application would be reduced by 3 respondents;
- Application for A80 QS would be reduced to 1 respondent as all other possible QS holders have been accounted for within the A80 program;
- Application for A80 Cooperative and CQ permit would be reduced to 1 respondent;
- Application to Transfer A80 QS would be reduced from 25 to no more than 5 respondents;



- Application for A80 vessel replacement would be reduced from 28 to no more than 5 respondents;
- A80 cooperative reports would be reduced to one; and
- Application for Inter-cooperative transfer of A80 CQ could be reduced to 0.

*Response:* NMFS appreciates the update on the estimates for this information collection and has revised the estimates to account for the changes and most recent data available.

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

No payment or gift will be provided under this program.

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

The information collected is 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).

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

Not Applicable.

**12. Provide an estimate in hours of the burden of the collection of information.**

Estimated total unique respondents, 25, reduced from 33. Estimated total annual responses, 29, reduced from 87. Estimated total annual burden, 20 hr, reduced from 130 hr. Estimated total annual personnel cost, \$740, reduced from \$4,810.

Except for the number of unique respondents, these amounts reflect a sum of the estimated amounts provided for each information collection in the tables above. The number of unique respondents is based on the number of separate participants who are expected to submit information during the 3-year renewal period for this information collection review (ICR). Unique respondents rather than a sum is used because some A80 and CDQ program participants submit more than one type of information collection in this ICR.

**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 annual total miscellaneous costs, \$525, increased from \$129. The specific miscellaneous costs estimated for each information collection are provided in the tables above.

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

A cost recovery program is in effect for the A80 Program (81 FR 150; January 5, 2016). Under this cost recovery program, NMFS is authorized to collect direct program costs from the permit holders. Therefore, the information collection requirements of the A80 Program do not impose a cost on the Federal Government. Direct program costs are the costs NMFS incurs to manage, collect data from, and enforce the IFQ Program.

NMFS's direct program costs for the A80 Program in fiscal year 2017 were \$815,467.

The following are examples of the types of tasks that were included under the 2017 A80 direct program costs:

- reallocation of incidental catch allowance to directed fisheries;
- in-season management of sideboards and non-sideboards;
- implementation of the cost recovery program;
- patrols, investigations, outreach and education, and compliance assistance;
- maintenance of the catch accounting system;
- programming and web design for online applications;
- at-sea scale inspections;
- observer sampling station inspections, data quality assurance;
- video equipment inspections;
- fee determination and collection process;
- deployment of second observer; and
- Economic Data Reports.

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

The title of this information collection was changed from Alaska Region Amendment 80 Permits and Reports to Alaska Region Amendment 80 Program because this collection no longer contains reports.

Adjustments were made based on a comment received and to reflect the most recent data available, increased postage and photocopy costs, and that most respondents would hire an attorney to file an administrative appeal. In addition, the number of respondents for the transfer applications was adjusted to show that both the transferor and transferee are respondents for each response.

## Summary of Current and Previous Requests

	Respondents		Responses		Burden Hours		Labor Costs		Miscellaneous Costs	
	Current	Previous	Current	Previous	Current	Previous	Current	Previous	Current	Previous
Application for A80 Quota Share	1	5	1	5	2	10	74	370	5	20
Application for A80 Limited Access Permit	1	1	1	1	2	2	74	74	1	1
Application for A80 CQ Permit	1	2	1	2	2	4	74	148	5	8
Application to Transfer A80 QS	6	25	3	25	6	50	222	1,850	12	40
Application for Inter-Cooperative Transfer of A80 CQ*	0	1	0	1	0	2	0	74	0	1
Flatfish Exchange Application	7	8	21	24	2	2	74	74	0	0
Application for A80 Vessel Replacement	1	28	1	28	2	56	74	2,072	1	58
Appeals	1	1	1	1	4	4	148	148	501	1
<b>Total for Collection</b>	<b>25**</b>	<b>33**</b>	<b>29</b>	<b>87</b>	<b>20</b>	<b>130</b>	<b>\$740</b>	<b>\$4,810</b>	<b>\$525</b>	<b>\$129</b>
<b>Differences</b>			<b>-58</b>		<b>-110</b>		<b>- \$4,070</b>		<b>\$396</b>	

\* Only one A80 cooperative is expected during the 3-year period of this renewal; therefore, no inter-cooperative transfer applications are expected to be submitted.

\*\* Unique respondents. Some A80 and CDQ program participants submit more than one type of information collection in this information collection review (ICR). Therefore, the number of unique respondents is used to show the estimated annual number of separate participants who are expected to submit information during the 3-year renewal period for this ICR.

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

The [NMFS Alaska Region website](#) posts lists of A80 QS holders and A80 limited access permit holders for the current and previous years. The list of A80 QS holders provides the following information for each permit holder: permit number, permit type, name of owner, NMFS ID, address, and QS units of each species held. The list of A80 limited access permit holders provides each permit holder's name, LLP number, and vessel name.

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>.

### **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.**

1Not Applicable.

### **18. Explain each exception to the certification statement.**

1Not Applicable.

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

This collection does not employ statistical methods.