

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Pacific Coast Groundfish Trawl Rationalization Program Permit**  
**And License Information Collection**  
**OMB Control No. 0648-0620**

**INTRODUCTION**

This request is for revision of a current information collection pursuant to proposed rule 0648-BI35 to add the requirement that owners of C/P-endorsed permits complete the form, but does not require any changes to the form itself. Additional information regarding this revision is found under the final paragraph before Question 1 of the Justification.

The [Magnuson-Stevens Fishery Conservation and Management Act \(MSA\)](#), 16 U.S.C. 1801 *et seq.*, authorizes Fishery Management Councils to prepare and amend fishery management plans (FMP) for any fishery in waters under its jurisdiction. The National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) manages the groundfish fishery in the 3-200 mile zone off of the coasts of Washington, Oregon and California.

The Pacific Fishery Management Council (Council) began developing a trawl rationalization program, a catch share program, for the Pacific coast groundfish limited entry trawl fishery in 2003. The Council developed and NMFS approved the trawl rationalization program with the intent to increase net economic benefit to the nation and to provide participants with economic stability in the fishery, full utilization of the trawl sector allocation, improved safety, improved product quality and value, increased accuracy, and mitigated or decreased environmental impacts than occurred under previous fishing practices and regimes.

The Council established the trawl rationalization program through two amendments to the Pacific Coast Groundfish FMP: Amendment 20, which established the trawl rationalization program; and Amendment 21, which set formal intersector allocations of groundfish species. The Council took final action on Amendment 20 at their November 2008 meeting, with subsequent related actions at the March 2009, April 2009, June 2009, November 2009 and April 2010 meetings. The Council took final action on Amendment 21 at their April 2009 meeting, with trailing actions at the March 2010 meeting.

NMFS implemented the program in January 2011 as a limited access privilege program (LAPP) under the MSA, as reauthorized in 2007. A LAPP is considered a grant of permission to the holder of the limited access privilege to participate in the program. The privilege may be revoked, limited or modified by the Secretary of Commerce at any time. In other words, under this program, catch shares are a conditional privilege to harvest a specified amount of fish. NMFS issued permits, as described below, for this conditional privilege.

The trawl rationalization program is composed of three sectors, as follows: 1) the shorebased individual fishing quota (IFQ) sector, 2) the at-sea whiting mothership (MS) sector, and 3) the at-

sea whiting catcher/processor (C/P) sector. The shorebased IFQ sector consists of quota share (QS) permit owners, catcher vessels that are registered to limited entry trawl permits, have vessel accounts, and fish for quota pounds (QP), and first receiver site license holders who receive the shorebased IFQ landings. The at-sea trawl fleets catch and process Pacific whiting (whiting) with midwater trawl gear. In the MS sector, mothership catcher vessels (MS/CVs) harvest the whiting and deliver the catch to large MS vessels where it is sorted and processed at-sea. One or more MS coops may form and/or vessels may choose to fish in a non-cooperative fishery. For both the coop and non-coop fishery, vessels pool their harvest together. In the C/P sector, C/P vessels catch and process whiting at-sea under a single C/P coop.

### *Sector descriptions*

In the **shorebased IFQ sector**, QS permit owners hold percentages, or shares, for each of 30 IFQ species groups. Each year, based on the shorebased IFQ sector allocation, NMFS allocates QPs to QS accounts in proportion to each QS permit owner's QS percentages. The permit owner must then move these QP to a vessel account in order to be fished. The QS permit/account is like an investment account where the QP accrue, while a vessel account is like a checking account, where the QP can be "spent", or used to offset IFQ catch (landed or discarded). Any participant who owns a vessel and registers it to a trawl limited entry permit can request a vessel account and fish in the IFQ program; they do not need to also own a QS permit. Vessel account owners can buy QPs from any QS permit owner or any other vessel account. Likewise, QS permit owners do not need to also own a vessel to hold QS. They can sell all of their QPs without fishing them.

Vessels fishing in the shorebased IFQ program must have a human observer or electronic monitoring cameras installed on board to monitor and account for discards. IFQ vessels must deliver landings to a buyer with a first receiver site license, and a catch monitor must be present for the offload to monitor sorting and independently account for landings. All three reports (discards, landings recorded by the first receiver, and landings recorded by the catch monitor) are submitted to the online vessel account system, and are debited from the vessel account. Typically the first receiver and catch monitor will record the same landed values, but if there is a discrepancy, the higher value is debited until the discrepancy can be resolved and updated. All fish caught in the IFQ program (landings and discards) are counted against the vessel account, and vessel owners must obtain QP to cover all catch. Vessels that incur a deficit cannot fish in the IFQ program until the deficit is cured, and the deficit must be cured within 30 days to avoid a violation.

In order to comply with the MSA, NMFS tracks the ownership interest of all entities who own a QS permit/account or a vessel account. QS permit owners are held to set accumulation and control limits, both at the initial allocation stage and during the operation of the program, and vessel owners must comply with vessel limits for each account. These ownership and control limits were adopted by the Council as part of Amendment 20.

In the **MS sector**, MS/CVs were allocated catch shares of whiting, called catch history assignments (CHA), which were attributed to qualifying limited entry trawl permits based on MS/CV at-sea whiting delivery history in the qualifying years. These limited entry trawl permits

were issued an MS/CV endorsement and individual catch history assignment, expressed as a percentage. MS/CV-endorsed limited entry permit owners may choose to participate in the coop or non-coop fishery. The whiting associated with the CHA on the MS/CV-endorsed limited entry permit is caught by catcher vessels registered to trawl limited entry permits, and landed at-sea to vessels registered to MS permits. As with the shorebased IFQ sector, NMFS tracks the ownership interest of all entities who own an MS/CV-endorsed trawl limited entry permit or MS permit. In the **C/P sector**, NMFS did not make an allocation of catch shares to the individual vessels. Instead, the C/P coop receives a total allocation of Pacific whiting and other non-whiting groundfish species, and organizes independently as a cooperative to harvest the allocation.

#### *Rulemakings that have affected the collection of information*

NMFS implemented the trawl rationalization program through two initial sets of rulemakings. NMFS published the initial issuance portion of the final rule 0648-AY68 on October 1, 2010 (75 FR 60868). This rule restructured and clarified the Pacific coast groundfish regulations to more closely track the organization of the management measures that establish the allocations and procedures set forth under Amendment 21 for initial issuance of permits, endorsements, quota shares, and catch history assignments under the IFQ and coop programs. NMFS published the program components portion of the final rule 0648-AY68 on December 15, 2010 (75 FR 78344) to implement the key components of the trawl rationalization program for the start of the 2011 fishery, including: IFQ gear switching, observer programs, retention requirements, equipment requirements, catch monitors, catch weighing requirements, coop permits, coop agreement requirements, first receiver site licenses, quota share (QS) accounts, vessel accounts, further tracking and monitoring components, and economic data collection requirements. Most of the information collections under OMB Control No. 0648-0620 stemmed from this rulemaking.

Since the initial implementation of the trawl rationalization program in January 2011, the Council and NMFS have been addressing implementation issues as they develop, and trailing actions and subsequent rulemakings have revised or added to the program. NMFS published the program improvement and enhancement (PIE) 1 final rule on December 1, 2011 (76 FR 74725). This rulemaking included an FMP amendment to further revise Amendment 21 (Amendment 21-1). Regulatory revisions included: the Pacific halibut trawl bycatch mortality limit; clarification that Amendment 21 supersedes limited entry/open access allocations for certain groundfish species; revisions to the observer coverage requirement while a vessel is in port and before the offload is complete; revisions to the electronic fish ticket reporting requirements; revisions to the first receiver site license requirement; further clarification on moving between limited entry and open access fisheries; a process for end-of-the-year vessel account reconciliation; and an exemption from processing at sea for qualified participants in the Shorebased IFQ Program.

With the PIE 1 rulemaking, NMFS requested a revision to OMB Control No. 0648-0620, which was approved without change on December 2, 2011. The collection revision included a change to the definition of a first receiver under the IFQ program, and therefore a change to the pool of applicants, and updated the application requirements for first receiver site license holders to exclude the unnecessary request for a site inspection. NMFS removed account managers from QS and vessel accounts/applications, and clarified regulations to explain what would constitute a change in ownership for QS permit and vessel account owners. In addition, a new provision

allowed permit owners to request a change in the registration of the MS/CV endorsement and associated CHA from one trawl limited entry permit to another (called severability in Council Documents) and clarified MS/CV-endorsed permit combinations, which resulted in a new collection to document these registration changes. This new provision also affected the MS coop permit application collection, because a permit owner could now have multiple, distinct MS/CV endorsements and associated CHA amounts registered to one trawl limited entry permit, and must obligate each separately. The updated form provided a new space for applicants to designate the specific MS/CV endorsements and associated CHA amounts separately. NMFS requested a non-substantive change to OMB Control No. 0648-0620, which was approved without change on February 15, 2012 and did not align or result from any rulemakings. The collection was changed to include a required form for vessel account registration, in contrast to the previously optional form. This helped to standardize the information NMFS received from new vessel account applicants. The non-substantive change also added a small business certification section to the existing trawl ownership interest form and first receiver site license form, in order to assist with Regulatory Impact Reviews (RIR)/Initial Regulatory Flexibility Analysis (IRFA) for the trawl rationalization program.

Two additional rulemakings, referred to as Reconsideration of Allocation of Whiting (RAW), Rules 1 and 2 (RAW 1 and RAW 2, respectively), were the outcome of a lawsuit, *Pacific Dawn v. Bryson*, No. C10-4829 TEH (N.D. Cal.) (*Pacific Dawn*), which challenged the initial allocations of whiting under the trawl rationalization program. NMFS published the RAW 1 final rule on August 1, 2012 (77 FR 45508). This was a temporary, emergency action rule which delayed transfers of QS between QS permits/accounts, and delayed the change in the registration of the MS/CV endorsements and associated CHAs from one trawl limited entry permit to another (severability). The rule also delayed divestiture requirements, and modified issuance provisions for QP for the beginning of the 2013 fishing year to preserve NMFS' ability to deposit the appropriate final amounts into IFQ accounts based on any recalculation of QS allocations. The emergency action rule was extended on January 17, 2013 (78 FR 3848).

NMFS published the RAW 2 final rule on March 28, 2013 (78 FR 18879). After reviewing the entire record, including the Council's record and comments received on the proposed rule (78 FR 72), NMFS determined that the existing initial whiting allocations provided for a fair and equitable allocation and were consistent with the Magnuson-Stevens Act, the groundfish fishery management plan, the court's order in *Pacific Dawn*, and other applicable law. The final rule did not make any changes to initial allocations, but did revise several provisions of the trawl rationalization program and supersede regulatory delays and/or revisions established through temporary emergency action and extension. Changes in the final rule included: transfer of QS or individual bycatch quota (IBQ) (except for widow rockfish QS) between QS permit holders in the shorebased IFQ fishery beginning January 1, 2014; a requirement that QS permit holders in the shorebased IFQ fishery holding QS or IBQ in excess of the accumulation limits divest themselves of excess QS (except for widow rockfish QS) or IBQ by November 30, 2015; limited entry trawl permit holders in the MS fishery to request a change (or transfer) of MS/CV-endorsement and CHA beginning September 1, 2014; a requirement that MS/CV-endorsed trawl limited entry permit owners divest themselves of ownership in permits in excess of the accumulation limits by August 31, 2016; and extension of the divestiture period delay and moratorium on transfer of widow rockfish QS in the shorebased IFQ fishery indefinitely. These

rulemakings did not affect or change the previously approved collections under OMB Control No. 0648-0620, but instead further delayed QS transfer and change of registration for MS/CV endorsement and associated catch history assignment.

At its April 2012 meeting, the Council took final action to refine the trawl rationalization program, resulting in a second program improvement and enhancement (PIE 2) rulemaking, 0648-BD31 (78 FR 68764). The rule implemented specific QS permit application and QS transfer regulations, clarified exemptions for lenders from control rules, eliminated the double-filing of coop reports for the at-sea whiting coops, revised first receiver site license requirements, including site inspection and expiration date, removed the year-end ban on QP transfers between vessel accounts, and clarified that the MS/CV processor obligation could be to more than one MS permit. With the PIE 2 rulemaking, NMFS requested an extension and revision to OMB Control No. 0648-0620, which was approved without change on November 15, 2013. The collection revision included items that had always been in the collection but were not fully developed under the initial program, such as QS permit applications and QS transfers.

At its April 2015 meeting, the Council took final action for the IFQ sector to clarify revocation protocols for cases where QS permit owners who exceeded an accumulation limit did not voluntarily divest to these limits by the November 30, 2015 divestiture deadline. As part of this action, the Council identified a situation where QS permit owners who were over the aggregate non-whiting control limit (a limit for the total amount of QS that can be owned across IFQ species) may not be able to find a willing recipient to take their excess QS. The Council recommended that QS permit owners in this situation could abandon unwanted excess QS to NMFS if they were unable to find another recipient. In order to implement this and other provisions relating to divestiture, NMFS published the divestiture rule, 0648-BF11 (80 FR 69138), allowing a process by which QS permit owners over the aggregate limit could abandon excess shares to NMFS by November 1, 2015 - or, in 2016 and beyond, within 90 days if found to exceed the limit after the divestiture deadline. With the divestiture rulemaking, NMFS requested a revision to OMB Control No. 0648-0620 to add an abandonment form, which was approved without change on November 12, 2015.

At its November 2018 meeting, the Council took final action on Catch Share Program 5-Year Review Follow-on Actions. The Follow-on Actions are range of measures that are intended to complete outstanding program elements, and respond to issues that have arisen following implementation of the Catch Share Program. The range of Follow-on actions are included in the proposed rule for Pacific Coast Groundfish FMP: Amendment 21-4, 0648-BI35 (being published coincident with this submission). One Follow-on action would set an accumulation limit on the number of C/P endorsed permits to a maximum of five permits that any one individual or entity may own. This accumulation limit would only take effect in the event the current co-operative structure for the sector dissolves. Currently owners of Shorebased IFQ and Mothership vessel categories are required to provide ownership interest information when applying for or renewing permits. This information is not collected for C/P permit owners under the current C/P co-op structure. The action would create similar collection of ownership information requirements for C/P permit owners that would take effect January 1, 2020. This action requires a revision to the collection of Trawl Ownership Interest Forms included under OMB Control No. 0648-0620 to add the requirement that owners of C/P-endorsed permits complete the form, but does not require

any changes to the form itself.

## A. JUSTIFICATION

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

The trawl rationalization program was implemented in January 2011 and continues to operate consistent with regulations given at 50 CFR 660. Since that time, the Council and NMFS have been addressing implementation issues as they arise, through the public Council process.

Under the trawl rationalization program, new permits, accounts, endorsements and licenses were established. These consist of: QS permits/accounts, vessel accounts, first receiver site licenses (FRSLs), MS endorsements on certain limited entry trawl permits, MS/CV endorsements on certain limited entry trawl permits, C/P endorsements on certain limited entry trawl permits, one or more MS coop permits, and a C/P coop permit.

NMFS collects information from program participants required to: establish new permits, accounts, and licenses; renew permits, accounts, and licenses; allow trading of QS percentages and QP in online QS and vessel accounts and allow transfer of catch history assignments between limited entry trawl permits; track compliance with program control limits; and implement other features of the regulations pertaining to permits and licenses.

### **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.**

Each collection item below is numbered, and the number corresponds to the burden estimate table under Question 12.

#### *(1) QS Permit/Account Application Form*

This form must be submitted on paper, by mail, one time, by new QS permit applicants who want to own QS in the shorebased IFQ fishery. The applicant will also be required to submit a trawl identification of ownership interest form, which is described separately (see #10). For each approved application, NMFS will mail a QS permit with zero QS for each species, and will establish an associated online QS account (also with zero QS for each species). Initial QS permit owners were allocated percentages of each IFQ species group based on their catch history during the qualifying period, but new entrants receive zero starting QS on their permits and in their QS accounts, and must to obtain QS percentages from other existing QS permit owners by transferring QS percentages through the QS account. The purpose for the information collection is to gather name and contact information for new entities, include the name and contact information on the physical QS permit, and to verify that the entity is eligible to own a QS permit as outlined in regulation and as certified on their application. NMFS expects an average of 8 new applicants each year. In the previous submissions of this collection, we have required this form be notarized, but are removing that requirement with this extension to minimize reporting burden.

## *(2) QS Permit/Account Renewal - Online*

This prefilled form will be submitted online once annually by current QS permit owners who wish to renew their QS permit for the following year. The QS permit owner will be required to make any changes necessary to their contact information. The applicant will also be required to review their prefilled ownership interest form as part of the online renewal, which is described separately (see #11). The purpose of the renewal is to maintain current QS permit owner contact information and retain only the pool of permit owners who actively own shares and participate in the IFQ program. NMFS expects an average of **179** online QS permit renewals annually.

Since QS permits and the QPs allocated to renewed permits have high value, NMFS expects all QS permit owners to have significant incentive to renew during the renewal period (October 1- November 30, online only). Although we expect all QS permit owners to renew online in order to receive their QP allocation for the year, we wanted to build in the possibility that, especially with new QS permit entrants, we might not always see 100% of the renewals submitted on time (see #3).

## *(3) QS Permit/Account Renewal Form*

Each year QS permit owners are responsible for renewing their QS permit and account online through their QS account during the renewal period, October 1 – November 30 (see #2). The online account renewal portal was set up to service the majority of renewals during the renewal period, and does not appear in accounts outside of the renewal period. Those permit owners who do not renew their QS permit during the renewal period will have their account inactivated by NMFS at the end of the calendar year, and NMFS will not issue QP to the inactive QS account associated with the non-renewed QS permit for that year. Additionally, QS permit owners with non-renewed permits/accounts are not able to transfer their QS percentages.

NMFS allows QS permit owners who did not renew their QS permit/account during the online renewal period (October 1- November 30) to renew by paper, using the QS permit/account renewal form. Although QS permit owners who renew their permits outside of the online renewal period will not be issued any QP to their QS account for the remainder of the calendar year, submitting this paper application form would reactivate their QS account and allow them to transfer QS percentages once their permit is renewed. Because NMFS anticipates so few renewals outside of the renewal period, and because there is a high cost associated with creating an online renewal option outside of the renewal period, a paper form is a simple alternative.

This QS permit/account renewal form will be submitted on paper, by mail, one time, by QS permit renewal applicants who failed to renew on time, but who want the ability to transfer QS percentages. The applicant will also be required to submit a trawl identification of ownership interest form, which is described separately (see #11). The purpose for the information collection is the same as the online renewal (see #2): to maintain current QS permit owner contact information and retain only the pool of permit owners who actively own shares and participate in the IFQ program. NMFS estimates that at most, only **1** QS permit owner will complete this form per year because the QP allocated to renewed permit owners has such high value, and because

NMFS has seen such high compliance with QS permit renewals in the past.

#### *(4) QS Transfer*

QS permit owners own QS percentages (divisible to the thousandth of a percentage, 0.001%) for 30 IFQ species groups. Initially, these percentages were not transferrable, in order to allow the participants a few years to gain greater understanding and confidence with the new program. Beginning in January 2014, QS permit owners have been able to permanently transfer those QS percentages to other QS permit owners (either existing owners or new entrants) from January 1 to November 30 each year through their online QS account, with the exception of widow rockfish QS, for which QS transfers have been postponed indefinitely. QS transfers must be initiated by the transferor, and accepted by the transferee to be finalized. QP associated with the QS being transferred will not be part of the QS transfer. QS transfers are completely separate from QP transfers. QS can only be transferred between QS accounts, and not to vessel accounts, while QP can only be transferred from QS accounts to vessel accounts, and between vessel accounts.

NMFS allocates QP throughout the year, and will allocate QP based on the QS percentages listed on a renewed QS permit. For example, if a QS permit owner started the year with 3.000% of a certain species, and transferred 1.000% to another QS permit owner in that year, s/he would continue to be allocated QP based on the 3.000% until the start of the following year. Essentially, QS permit owners can transfer QS at any time and as many times and in as many increments as they want between January 1 and November 30. Whatever remains in their QS account on November 30 at midnight will be printed on their renewed permit for the following year. NMFS will allocate QP for the remainder of the following year based on the QS percentages given on the QS permit.

To initiate a QS transfer, the user must log in to the QS account associated with their QS permit, preview their current QS percent ownership, select the species and amount of QS% to transfer, indicate the nature of the transaction (i.e. cash sale, barter), provide the overall cost for the transaction, and select the QS permit/account to transfer to, up to the accumulation limits of the receiving QS permit/account. The cost information collected helps NMFS to understand the nature of the QS sale and relative price information. The burden estimate in Question 12 includes both the time for the transferor to initiate the transfer, and the time for the receiving party to review and accept the QS transfer in their QS account. NMFS programmed the QS percentage transfer functionality in online QS accounts so that QS permit owners could trade all species in a single transaction, reducing the burden for those participants who do wish to transfer more than one species in a single transaction.

The ability to transfer QS is an important component of the program, allowing NMFS to implement the program as intended by the Council and industry, and allowing for new entrants and a changing fishery. The transfer of QS also allows for individual business flexibility and allows QS permit owners to shape their business strategies through a portfolio of QS. In 2014, there were 14 QS transfers total. In 2015, there were 69 QS transfers, largely because one QS permit owner didn't understand they could transfer all 30 species on one transfer, and transferred each species separately. In 2016, there have been 9 QS transfers, as of August 12, 2016. Based



on these numbers, NMFS estimates that there will be an average of 4 QS transfers per month in the IFQ program, for a total of **48** QS transfers per year. At the time of our last PRA submission, NMFS greatly overestimated how often the QS transfer function would be used because we didn't have any information to base our estimate on (we previously estimated 444 transfers per year). Now that we have several years of data, we can make a more educated estimate.

#### *(5) QP Transfer from QS Account to Vessel Account*

The QP transfer function from QS account to vessel account will be completed online approximately five times each year by QS permit owners who are moving QP from their QS account to a vessel account (average of 180 QS permit owners x 5 QP transfers = **900** responses per year). Because NMFS allocates pounds to QS accounts at different times throughout the calendar year, the QS permit owner must login to their QS account several times per year to move the QP to a vessel account. While some QS owners may wait until the spring when most QP has been allocated to the shorebased IFQ sector to transfer their QP to vessel accounts (decreasing the average number of transfers), others may make QP transfers to multiple vessels directly from their QS accounts (increasing the average number of transfers).

To initiate a QP transfer from a QS account, the user must log in to the QS account associated with their QS permit, preview their current available QP, enter the species and amount of QP to transfer (in pounds), indicate the nature of the transaction (i.e. cash sale, barter), provide the overall cost for the transaction, and select the vessel account to transfer to, up to the vessel limits of the receiving vessel account. The cost information collected helps NMFS to understand the nature of the QP sale and relative price information. The burden estimate in Question 12 also includes the time for the receiving party to review and accept the QP transfer in their vessel account. QP transfer functionality is an important accounting tool for both NMFS and industry. The QS account system provides accurate balances of QPs available for use (to transfer to a vessel account) in real time, and documents the initiation and acceptance of individual QP transfer transactions. Currently, users may print the transfer summary PDFs in their accounts to demonstrate a transfer has been made to brokers or receiving parties.

#### *(6) Vessel Account Registration Request*

This form will be submitted on paper, by mail, one time, by new vessel account applicants who own a vessel registered to a trawl limited entry permit, and want to harvest or hold QP in the shorebased IFQ fishery. The applicant will also be required to submit a trawl identification of ownership interest form, which is described separately (see #10). For each approved vessel account registration request, NMFS will establish a vessel account with zero QP for each species, and the vessel owner will obtain QP from a QS permit owner's QS account or other vessel account. The purpose for the information collection is to gather name and contact information for new entities, and to correctly establish the vessel name/number and vessel owner name on the account for correct catch accounting by first receivers, catch monitors and observers in the shorebased IFQ fishery. NMFS expects, on average, to have about **10** new applicants each year. That estimate is based on the number of new vessel account entrants we have seen each year since the start of the program in 2011.

### *(7) Vessel Account Renewal – Online*

This prefilled form will be submitted online once annually by current vessel account owners who wish to renew their vessel account for the following year. The vessel account owner will be required to make any changes necessary to their contact information on the renewal form. The applicant will also be required to review their prefilled ownership interest form as part of the online renewal, which is described separately (see #11). The purpose of the renewal is to maintain current vessel owner contact information and retain only the pool of vessel owners who actively participate in the IFQ program. NMFS expects an average of **140** online vessel account renewals annually.

There are currently 146 active, renewed vessel accounts. While new applicants may request a registration at any time (see #6), NMFS expects this number to stay fairly constant as we've seen throughout the past 6 years. While we do receive approximately 10 new vessel registration requests per year, those are often to replace existing accounts, or based on the sale of an active vessel to a new owner, so about the same number of accounts exists from year to year.

Since these vessel owners that renew their accounts can fish in the shorebased IFQ fishery at the start of the year and may receive carryover of any surplus pounds from the previous year, NMFS expects vessel account owners to have significant incentive to renew during the renewal period (October 1-November 30, online only) if they intend to continue their participation in the program. If for any reason they don't renew online during the renewal period, vessel owners can renew their vessel account by paper after the renewal period (see #8). In past years, we have seen an average of 6 vessel owners not renew their account online, but instead renew after the renewal deadline by paper, which is why we expect 140 (not 146) online renewals.

### *(8) Vessel Account Renewal Form*

Each year vessel account owners are responsible for renewing their vessel account online through their vessel account during the renewal period, October 1 – November 30 (see #7). The online account renewal portal was set up to service the majority of renewals during the renewal period, and does not appear in accounts outside of the renewal period. Those account owners who do not renew their vessel account during the renewal period will have their account inactivated by NMFS at the end of the calendar year, cannot fish in the shorebased IFQ fishery, cannot transfer QP (except in the case of a deficit), and will not be issued any carryover of surplus QP from the previous year, if eligible.

NMFS allows vessel account owners who did not renew their vessel account during the online period (October 1- November 30) to renew by paper, on the vessel account renewal form. Although vessel account owners who renew their accounts outside of the online renewal period are not issued any carryover of surplus QP from the previous year, submittal (and NMFS acceptance) of this paper renewal form would reactivate their account and allow them to fish in the shorebased IFQ fishery and transfer QP. Because NMFS anticipates so few renewals outside of the renewal period, and because there is a high cost associated with creating an online renewal option outside of the renewal period, a paper form is a simple alternative.

This vessel account renewal form will be submitted on paper, by mail, one time, by vessel account renewal applicants who failed to renew online on time, but who want the ability to fish in the shorebased IFQ fishery and transfer QP. NMFS estimates that at most, **6** vessel account owners will complete this form per year because we expect so many to renew on time online, and because we have seen high compliance with vessel account renewals in the past. This estimate is based on the average number of vessel owners who have renewed their account by mail after the renewal period in previous years. The vessel account owner would also be required to submit a trawl identification of ownership interest form, which is described separately (see #11). The purpose for the information collection is the same as the online renewal (see #7): to maintain current vessel owner contact information and retain only the pool of vessel owners who actively participate in the IFQ program.

#### *(9) QP Transfer from Vessel Account to Vessel Account*

The QP transfer function allows vessel owners to transfer QPs online from their vessel account to another vessel account. Based on actual vessel account transfer activity during the first five years of the program, NMFS estimates that vessel account owners will average 11 transfers of QP from their vessel account to another vessel account each year (average of 146 vessel account owners x 11 transfers of QP = **1,606** responses per year). Many vessel owners do not make any QP transfers to other vessel accounts during the year, but others, such as vessel accounts being used for risk pool and broker purposes, make many. To initiate a QP transfer from a vessel account, the user will login to their vessel account, preview their current available QP, enter the species and amount of QP to transfer (in pounds), indicate the nature of the transaction (i.e., cash sale, barter), provide the overall cost for the transaction, and select the vessel account to transfer to, up to the vessel limits of the receiving vessel account. The cost information collected helps NMFS to understand the nature of the QP sale and relative price information. The burden estimate in question 12 also includes the time for the receiving party to review and accept the QP transfer in their vessel account. QP transfer functionality is an important accounting tool for both NMFS and industry. The vessel account system provides accurate balances of QPs available for use (to cover catch or to transfer) in real time, and documents the initiation and acceptance of individual QP transfer transactions. Currently, users may print the transfer summary PDFs in their accounts to demonstrate a transfer has been made to brokers or receiving parties.

#### *(10) Trawl Identification of Ownership Interest Form: New Entrants*

This form is identical to the form used under collection #11 below, however new entrants will likely take longer to complete the form since it will not be prefilled for them, and it will be their first time completing the form, so we separated the collections. This form will be submitted on paper, by mail, one time, by an estimated **24** respondents each year, including:

- **8** new QS permit applicants (trawl identification of ownership form submitted with collection #1),
- **10** new vessel account registrants (trawl identification of ownership form submitted with collection #6),
- **1** applicant who plans to purchase an existing trawl limited entry permit with MS/CV endorsement/CHA (trawl identification of ownership form submitted with change in permit ownership form for the trawl limited entry permit, collected under OMB Control No. 0648-0203), or who owns a trawl permit and plans to purchase an existing MS/CV

endorsement/CHA to register to their trawl permit (trawl identification of ownership form submitted with collection #17),

- **1** applicant who plans to purchase an existing MS permit (trawl identification of ownership form submitted with collection #15), and
- **1** lender (trawl identification of ownership form submitted with letter of intent to collateralize assets under the trawl rationalization program, and therefore be exempt from accumulation and control limits).
- **3 C/P endorsed permit owners (change)**. . Prior to January 1, 2020, C/P endorsed permit owners were not required to complete the trawl identification of ownership interest form. There are currently three fishing companies that own the ten existing C/P permits. Since none of these owners have completed the form previously, it is expected that the first instance of completing the form will require more time than in subsequent years. Since 2011, only two C/P endorsed permits have changed ownership, once in 2013 and once in 2019. As a result, subsequent years are likely to have fewer than one new change in C/P permit ownership.

The trawl identification of ownership interest form is collected from new entrants to verify their eligibility to participate in the program, to monitor compliance with accumulation and control limits in the IFQ and MS programs, and to gather small business information to assist with regulatory impact reviews (RIR)/initial regulatory flexibility analysis (IRFA) for new rulemakings. In the previous submissions of this collection, we have required this form be notarized, but are removing that requirement with this extension to minimize reporting burden.

#### *(11) Trawl Identification of Ownership Interest Form: Renewal*

This form is identical to the form used under collection #10 above, however NMFS separated the collections because the forms are prefilled for renewals and take significantly less time to complete, on average. For renewals where there has been no change to the ownership interest, most applicants (QS permit and vessel account owners) will submit this form online, while some MS/CV-endorsed limited entry permit owners, some MS permit owners, and lenders will be sent a prefilled paper form if they do not also own a QS permit or vessel account where they can approve the ownership interest online. Starting January 1, 2020 owners of C/P endorsed permits will also be required to complete this form, this is a change from the previous collection. NMFS does not anticipate approving any new C/P endorsed permits. Since 2011, only two C/P endorsed permits have changed ownership, once in 2013 and once in 2019. For these reasons, completion of this form in subsequent is expected to occur primarily during C/P permit renewals, and not applications by new entrants. For any renewal where there was a change to the ownership interest, the participant will need to complete a new form. We have factored the average response time for all response types into our estimated time burden of five minutes: 1. no change, review online, 2. no change, review on paper, and 3. with change, submit new paper form =  $\{[(362 \text{ respondents} \times 3 \text{ minutes}) + (6 \text{ respondents} \times 5 \text{ minutes}) + (10 \text{ respondents} \times 10 \text{ minutes})] \div 378 \text{ total respondents}\} = 3.2 \text{ minutes/respondent}$ .

This form will be submitted as a part of the renewal application by an estimated **368** respondents each year, including:

- **180** QS permit owners (trawl identification of ownership form submitted with collection #2 or #3),
  - **146** vessel account owners (trawl identification of ownership form submitted with collection #7 or #8),
  - **34** MS/CV-endorsed limited entry permit owners (trawl identification of ownership form submitted with MS/CV-endorsed limited entry permit renewal, collected under OMB Control No. 0648-0203),
  - **6** MS permit owners (trawl identification of ownership form submitted with #14),
  - **2** lenders (trawl identification of ownership form submitted with letter of intent to have continued exemption from accumulation and control limits).
- 10 C/P endorsed permit owners (change). Starting in 2020, C/P permit owners will be required to complete this form. Currently there are 3 different companies that own the ten existing C/P endorsed permits. After the first year wherein they will complete the (#10) New Entrant form, they will The trawl identification of ownership interest form is collected during renewals to maintain verification of their eligibility to participate in the program, to monitor compliance with accumulation and control limits, and to gather small business information to assist with regulatory impact reviews (RIR)/initial regulatory flexibility analysis (IRFA) for new rulemakings. In the previous submissions of this collection, we have required this form be notarized, but are removing that requirement with this extension to minimize reporting burden.

*(12) First Receiver Site License Application Form: New Entrants*

This form is identical to the form used under collection #13 below, however, NMFS separated the collections because initial applicants have an increased burden estimate when compared to re-registering applicants. This form will be submitted on paper, by mail, one time by new first receiver applicants who want to receive shorebased IFQ landings from vessels with IFQ vessel accounts. NMFS estimates about **2** responses per year, based on new applications submitted during the first five years of the program.

First receivers must have a separate license for each unique location where they want to take possession of IFQ landings. In addition to the application form, the applicant will also be required to submit an application fee, a copy of their current state buyer's license for the state in which the license will be held, and a catch monitor (CM) plan, which will be followed by a site visit. All of these application requirements are included in the burden estimate. The catch monitor plan is the most time-consuming component of the application, because it requires a write-up of the operations of the receiving facility, including information on offloading, sorting, weighing, and labeling catch, as well as information for catch monitor safety. NMFS provides guidelines and a template for the catch monitor plan to each applicant to ease some of the time burden. The catch monitor coordinator also visits the site for approximately one hour, but longer if needed, to ensure that the catch monitor plan accurately represents the receiving process in the facility. After a site inspection, the applicant may be required to revise their CM plan.

The information on the first receiver site license application form is collected to gather name and contact information for new first receiver site license holders, name and contact information at the physical site listed on the license to ensure that the name on the application matches the name on the fish tickets for accounting and enforcement purposes, and to register the name and contact information on the physical first receiver site license. The application fee is collected to cover

costs associated with processing first receiver site licenses, as calculated in the unit cost computation. The copy of the state buyer's license is collected in order to ensure that the first receiver is eligible to receive fish in that state, and is complying with state requirements. The catch monitor plan is required as part of the collection to ensure that every IFQ species is accurately sorted and counted to a vessel account under the IFQ program, and that the site follows proper safety procedures while a catch monitor is present. Essentially, the catch monitor plan allows NMFS to understand the layout, delivery process, and sorting procedures at the given site before the catch monitor arrives to work at the site, and helps NMFS determine the site safety and whether or not it is safe and suitable for the catch monitor to work in, as verified at the site inspection. In the previous submissions of this collection, we have required this form be notarized, but are removing that requirement with this extension to minimize reporting burden.

### *(13) First Receiver Site License Application Form: Re-Registration*

This form is identical to the form used under collection #12 above, however, NMFS separated the collections because the application process takes significantly less time to complete, on average, for re-registering applicants. This form will be submitted on paper, by mail, one time each year by each first receiver applicant who wants to re-register their existing first receiver site license in order to continue receiving shorebased IFQ landings from vessels with IFQ vessel accounts. NMFS estimates about **41** responses per year, based on re-registrations submitted during the first five years of the program.

The re-registering applicant will also be required to submit an application fee, a copy of their current state buyer's license for the state in which the license will be held, and a catch monitor plan. A site inspection will only be required once every three years in order to reduce the burden for re-registering applicants (site inspections were required every year when the program started, but NMFS relaxed the requirement through the PIE 2 rulemaking). All of these application requirements are included in the burden estimate. For re-registering applicants, the catch monitor plan takes less time to submit (as compared to new entrants) because they have their plan from the previous year saved. The first receiver simply needs to update any information that has changed, and resubmit.

The information on the first receiver site license application form is collected to maintain name and contact information for new first receivers, and to be able to include the name and updated contact information on the physical first receiver site license. NMFS requires re-registration in order to ensure the pool of participants are still actively participating and complying with program requirements. The application fee is collected to cover costs associated with processing first receiver site licenses, as calculated in the unit cost computation. The copy of the state buyer's license is collected in order to ensure that the first receiver is still eligible to receive fish in that state, and is complying with state requirements. The catch monitor plan is required as part of the collection to ensure that every IFQ species is accurately sorted and counted to a vessel account under the IFQ program, and that the site follows proper safety procedures while a catch monitor is present. Re-registering applicants must submit the CM plan each year to recertify that the plan is accurate, and in order to submit any changes to the operating procedures, if applicable. In the previous submissions of this collection, we have required this form be notarized, but are removing that requirement with this extension to minimize reporting burden.

*(14) Mothership Permit Renewal Form*

Each year MS permit owners are responsible for renewing their MS permit during the renewal period, October 1 – November 30. MS permit owners must submit the renewal application with the renewal fee and a completed trawl identification of ownership interest form (see #11), which is prefilled and sent to MS permit owners with their renewal package (only if they do not also own a QS permit or vessel account through which they can certify their ownership interest online). MS permit owners do not have the option to submit the renewal form and fee online at this time. There are **6** MS permit owners, and **no new** MS permits will be given since this is a limited entry permit. NMFS anticipates that all 6 will submit their renewal application each year, based on previous behavior and because of the extremely high value of the permits and the business arrangements associated with the MS permits/vessels registered to the permits in the MS coop. This is a limited entry fishery, and no new MS permits/applications will be allowed. New entrants may become MS permit owners only by transferring an existing permit (see #15). The purpose for the information collection is to maintain current MS permit owner contact information and ownership interest information.

*(15) Mothership Permit Change of Vessel Registration, Permit Owner, or Vessel Owner Application Form*

If an MS permit owner would like to change the vessel registered to their MS permit, change the permit owner on their MS permit, or notify NMFS of a change in vessel owner of the vessel registered to their MS permit, they must submit the MS permit change of vessel registration, permit owner, or vessel owner application form on paper, by mail. This form can be submitted at any time during the calendar year. NMFS anticipates a maximum of 1 MS transfers per year, based on permit transfers in the first five years of the program. If a new entrant obtains an MS permit, they must submit this form with a trawl identification of ownership interest form (see #11) to verify ownership of the permit.

The purpose for this collection of information is to gather accurate information about the MS permit ownership and the vessel registered to the permit. The form provides formal certification and documentation of the request and allows NMFS to review the request for compliance with permit regulations. In the previous submissions of this collection, we have required this form be notarized, but are removing that requirement with this extension to minimize reporting burden.

*(16) Mothership Cooperative Permit Application Form*

The MS coop permit application form may be completed by one or more MS coops, or not at all if a coop doesn't organize in a given year. For the first five years of the program there has been a single coop with all MS/CV-endorsed limited entry permit owners given as members, with no non-coop fishery. For the purposes of this collection, NMFS estimates that there will be **1** coop completing this form per year.

The MS coop permit application must be completed by the coop manager, and is submitted on paper, by mail. A complete application includes the MS coop permit application form and a copy of the MS coop agreement. Additionally, the MS coop must provide an annual coop report.

Through the application form, the MS coop identifies their members (MS/CV-endorsed limited entry permit owners), the individual CHAs associated with each MS/CV-endorsed permit and to which MS permit the CHAs are obligated, the total CHA for the coop, and the vessels that will harvest the whiting as part of the coop. The MS coop agreement provides further detail about the terms and conditions agreed to by coop members, and how the allocation of whiting to the MS sector will be fished. The annual coop report details the status of the MS coop fishery during the prior year.

This annual collection provides NMFS the information necessary to allocate whiting and bycatch to the MS sector. Whether there is a single coop, multiple coops, and/or a coop and non-coop fishery in a given year, the MS coop permit application provides the formal process to convey the structure of the at-sea MS sector, and therefore determines the allocation mechanism. In the previous submissions of this collection, we have required this form be notarized, but are removing that requirement with this extension to minimize reporting burden.

#### *(17) Change of MS/CV-Endorsement and Catch History Assignment Registration Application Form*

Since 2014, MS/CV endorsements and their associated CHA are severable from a limited entry trawl permit, and eligible to be registered to any other limited entry trawl permit, up to the accumulation limits. If an MS/CV-endorsed limited entry permit owner would like to change the registration of the MS/CV endorsement and associated CHA to another limited entry trawl permit, they must submit the MS/CV-endorsement and CHA registration application form on paper, by mail. This form can be submitted during the registration period, September 1 – December 31 each year. If a new entrant obtains an MS/CV endorsement and CHA, they must submit this form with a trawl identification of ownership interest form (#11) to verify ownership of the permit to which the endorsement and CHA will be registered. NMFS estimates 1 MS/CV-endorsement/CHA transfer per year, based on the number of transfers we've seen since 2014.

The purpose for this collection of information is to allow the transfer of MS/CV endorsements and CHA among limited entry trawl permits, and to gather accurate information about MS/CV-endorsed permit ownership. The form provides formal certification and documentation of the request by the permit owner (transferor) and allows NMFS to review the request for compliance with the accumulation limits and with other permit regulations. In the previous submissions of this collection, we have required this form be notarized, but are removing that requirement with this extension to minimize reporting burden.

#### *(18) Mutual Agreement Exception*

A mutual agreement exception is an agreement that allows the owner of an MS/CV-endorsed limited entry permit to withdraw the permit's obligation of its CHA to a permitted MS processor, when mutually agreed to with the MS processor, and to obligate CHA to a different permitted MS processor. There is no form for this collection; instead the owner of the MS/CV-endorsed permit must submit a copy of the agreement to NMFS that includes the MS permit owner's acknowledgement of termination of the catcher vessel's obligation to the permitted MS vessel. The purpose of this collection is to assist NMFS in tracking changes in the MS/CV-endorsed



permit CHA obligations, which are important to monitoring the fishery. The CHA obligation process assists MS sector participants to clearly register their intent for the Pacific whiting season, and the mutual agreement exception provides flexibility to participants in order to change those obligations as needed. NMFS anticipates receiving **1** mutual agreement exceptions per year, based on the first five years of the program.

#### *(19) Mothership Withdrawal*

If an MS permit withdraws from the fishery before Pacific whiting has been allocated to the MS sector, then any MS/CV-endorsed limited entry permit owner who has obligated CHA to that MS permit may elect to participate in the coop or non-coop fishery. There is no form for this collection; instead the MS permit owner shall provide written notification of its withdrawal to NMFS and all owners of MS/CV-endorsed permits with CHA obligated to the withdrawing MS permit. Additionally, the MS/CV-endorsed limited entry permit owners shall notify NMFS of their intent to participate in the coop or non-coop fishery with each CHA. For those continuing in the coop fishery, each MS/CV-endorsed limited entry permit owner shall provide to NMFS the new MS permit to which they will obligate each CHA for the Pacific whiting season.

The purpose of this collection is to assist NMFS in tracking changes in the MS/CV-endorsed permit CHA obligations if an MS permit were to withdraw. The obligations are important to monitoring the fishery. The CHA obligation process assists MS sector participants to clearly register their intent for the Pacific whiting season, and the MS withdrawal provides flexibility to participants in order to change those obligations as needed, if an MS were to withdraw. During the first five years of the program, NMFS has never encountered an MS withdrawal, but estimates **1** per year on the burden estimate table.

#### *(20) Catcher/Processor Cooperative Permit Application Form*

The C/P coop permit application form must be submitted by the single C/P coop each year (one form submitted each year), so NMFS expects **1** response per year. The C/P coop permit application is completed by the coop manager, and is submitted on paper, by mail. A complete application includes the C/P coop permit application form and a copy of the C/P coop agreement. Additionally, the C/P coop must provide an annual coop report. The C/P coop identifies their members (owners of CP endorsed permits) through the application form, and provides further detail about the terms and conditions that coop members have through the C/P coop agreement. The annual coop report details the status of the C/P coop fishery during the prior year.

This annual collection provides NMFS the information necessary to allocate whiting and bycatch to the C/P sector, and allows for updated contact information to be printed on the permit. Failure to provide this information would require that NMFS to change the fishery from a coop based fishery to an IFQ fishery. In the previous submissions of this collection, we have required this form be notarized, but are removing that requirement with this extension to minimize reporting burden.

#### *(21) Material Change*

If there are any changes to a coop agreement, the coop manager of either an MS coop or a C/P coop must notify NMFS in writing of any material change to the coop agreement within seven calendar days of such changes. Within 30 calendar days, the designated coop manager must submit to NMFS a revised coop agreement with a letter that describes such changes. There is not a form for this collection, and NMFS estimates 1 response per year. NMFS will review the material changes and provide a response letter to the coop manager that either accepts the changes as given, or does not accept the revised coop agreement. If the changes are not accepted, the letter from NMFS will explain why. The coop will be required to resubmit the coop agreement with further revisions that respond to NMFS' concerns. NMFS requires this notification because the coops serve to manage the harvest of whiting through a coop agreement with their members, and NMFS relies on the coops for effective management of the MS and C/P sectors. The coop agreement is the mechanism to effectively manage the fishing activities, including the monitoring and enforcement activities within the coop. Any changes must be provided to NMFS to ensure that the written agreement matches the practice of the coops.

#### *(22) QS Abandonment Request*

At the time of initial QS allocation in 2011, several eligible QS permit owners received QS percentages that exceeded the shorebased IFQ program's accumulation limits. These permit owners were provided an adjustment period where they could continue to hold these excess shares, but were required to completely divest of QS in excess of the accumulation limits by November 30, 2015 (see 50 CFR 660.140 (d)(4)(v)). Through the divestiture rule, NMFS established an abandonment form where QS permit owners who exceeded the aggregate non-whiting control limit could permanently abandon shares of their choosing to NMFS. No one used the provision, and the divestiture period has ended, but NMFS kept this form in place (through the divestiture rule) should any QS permit owner be found to exceed the aggregate nonwhiting QS limit in 2016 or beyond.

Permit owners utilizing this provision in the future would submit a written request identifying their QS permit number, the IFQ species they wish to abandon, and the percentage of each species to abandon. NMFS will notify the permit owner that s/he has 90 days to divest of the QS in excess of the non-whiting aggregate control limit. The permit owner may abandon QS to NMFS within 60 days of NMFS' notification, by submitting the written request described above. According to NMFS ownership interest records, no companies currently exceed the aggregate non-whiting control limit, and the online IFQ system will prevent transfers that would exceed the limit, but should a QS permit owner acquire QS in excess of the aggregate limit by any other method, they may utilize the abandonment request option within 60 days of NMFS notification of the excess. NMFS has never encountered an abandonment request, but estimates 1 per year on the burden estimate table.

#### *(23) Catch Monitoring Plans/ First Receivers - Preparation and Submission, Catch Monitoring Plans/ First Receivers – Inspection, Shorebased scales/ First Receivers- Inspection, Shorebased scales/ First Receivers- Reports*

There are currently 9 Pacific whiting first receivers. The types of records we expect them to retain may include, but are not limited to: receipts from charitable organizations that include the organization's name and amount of catch donated; cargo manifests setting forth the origin, weight, and destination of all prohibited species; or disposal receipts identifying the recipient organization and amount disposed. These are typical business records for fish processing businesses. Any such records must be retained for no less than three years after the date of disposal and such records must be provided to OLE upon request.

Catch monitoring plans are prepared by the shorebased IFQ first receivers and are narrative responses to specific information requested in the proposed regulations. The catch monitoring plan is submitted to NMFS as part of the first receiver site license application but is considered a part of this information collection. The first receiver site license is addressed under the separate information collection request, Trawl Rationalization Program Permit and License Information Collection. The catch monitor plans are submitted annually with the first receiver site license renewal and are resubmitted if substantial changes are made in how fish are received, sorted or weighed. An onsite inspection is conducted before the plans are accepted. An acceptable catch monitor plan describes how landings can be monitored effectively by a catch monitor, that scales are certified and used appropriately, how adequate facilities will be made available for catch monitors, and how the first receiver will provide accurate landed catch data. NMFS will use the information to aid catch monitors in the completion of their duties and to determine if particular first receivers are capable

Shorebased scales - printed scale reports are records made available to the catch monitor and, upon request, to NMFS. For scales used to weigh catch at IFQ first receivers, all scales identified in a catch monitoring plan must produce a printed record for each delivery, or portion of a delivery, weighed on that scale, unless specifically exempted by NMFS [Scales not designed for automatic bulk weighing may be exempted from part or all of the printed record requirements]. A first receiver must maintain printed scale reports on site until the end of the fishing year during which the printouts were made and make them available upon request by NMFS for 3 years after the end of the fishing year during which the printout was made.

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.**

The collection involves the use of mostly online/electronic collection of information. The numbers used below corresponds to the collection in Question 2 and the burden estimate table under Question 12.

These collections are conducted online exclusively:

- 2. QS Permit/Account Renewal – Online
- 4. QS Transfer
- 5. QP Transfer from QS Account to Vessel Account
- 7. Vessel Account Renewal – Online
- 9. QP Transfer from Vessel Account to Vessel Account

This collection is conducted mostly online, with a few paper submissions:

- 11. Trawl Identification of Ownership Interest Form: Renewal

These collections are conducted by paper:

- 1. QS Permit/Account Application Form
- 3. QS Permit/Account Renewal Form – only necessary if the permit owner misses the 2 month online renewal period
- 6. Vessel Account Registration Request
- 8. Vessel Account Renewal Form – only necessary if the permit owner misses the 2 month online renewal period
- 10. Trawl Identification of Ownership Interest Form: New Entrants
- 12. First Receiver Site License Application Form: New Entrants
- 13. First Receiver Site License Application Form: Re-Registration
- 14. Mothership Permit Renewal Form
- 15. Mothership Permit Change of Vessel Registration, Permit Owner, or Vessel Owner Application Form
- 16. Mothership Cooperative Permit Application Form
- 17. Change of MS/CV-Endorsement and Catch History Assignment Registration Application Form
- 18. Mutual Agreement Exception
- 19. Mothership Withdrawal
- 20. Catcher/Processor Cooperative Permit Application Form
- 21. Material Change
- 22. QS Abandonment Request
- 23. Catch Monitoring Plans/ First Receivers - Preparation and Submission
- 24. Catch Monitoring Plans/ First Receivers - Inspection
- 25. Shorebased scales/ First Receivers- Inspection
- 26. Shorebased scales/ First Receivers- Reports

While the “conducted by paper” list looks much longer, each form listed has few responses compared to the “conducted online” list. The bulk of the total responses and burden for this collection are conducted online – about 67% of the total responses for this collection are collected online (3,242 of 4,839 responses), and about 30% of the total burden hours for this collection take place online (290 of 953 burden hours)

#### **4. Describe efforts to identify duplication.**

This is a unique information collection and does not duplicate other collections. The trawl

rationalization program was developed by the Pacific Fishery Management Council and is unique to the commercial Pacific coast trawl fisheries. The program was, and continues to be, reviewed in many public meetings and is subject to public comment. The program and associated information collection is specific to a section of the Pacific coast commercial fishing industry. The information collected is required to implement and administer the program.

The requirement for recordkeeping of dispositions applies only to this program's first receivers.

Additionally, NMFS strives to share the information internally to avoid duplication. Various internal NMFS groups such as the office of law enforcement (OLE), the economic data collection (EDC) team, the observer program, the catch monitor program, etc. use the contact information collected by the Fisheries Permit Office as part of this collection, rather than collecting this information again.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

Many of the respondents are small businesses. NMFS minimizes burden by having instant QS and QP transactions online, that do not involve mailing paperwork, and provides prefilled forms wherever possible so that small business owners and others only need to correct information if something has changed rather than fill out the same information each time.

Wherever possible, NMFS tries to pair information collections (such as renewals and ownership interest) to be mailed and due on the same date to minimize burden on affected entities.

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

*QS Permit/Account Application Form (1), QS Permit/Account Renewal - Online (2), QS Permit/Account Renewal Form (3), Vessel Account Registration Request (6), Vessel Account Renewal Form (7), Vessel Account Renewal – Online (8), Mothership Permit Renewal Form (14), First Receiver Site License Application Form: New Entrants (12), First Receiver Site License Application Form: Re-Registration (13)*

Initial application information and annual renewal/re-registration information collection is necessary to confirm current address, contact and ownership information and to maintain accurate registrations of the permits/licenses and/or accounts. If the collection is not conducted or conducted less frequently, over time the permit information would become outdated. Often, permit and/or account owners will make a change to their entity name and forget to notify NMFS, and the initial registration and subsequent renewal period has become the time to update all of our records and maintain a high quality of data. Many line offices rely on the contact information that the Fisheries Permit Office collects as a part of registrations/renewals, and less accurate or less frequent information collection would negatively impact other offices. NMFS strives to make significant outreach efforts and a high quality data set is essential to ensuring communication and compliance. Additionally, in the case of the first receiver site license, if the collection was not conducted or conducted less frequently, it would hinder NMFS' ability to effectively examine the safety of a site for a catch monitor, and know where IFQ landings would

occur.

*Trawl Identification of Ownership Interest Form: New Entrants (10), Trawl Identification of Ownership Interest Form: Renewal (11)*

Ownership interest forms must be submitted as part of the initial registrations and subsequent renewals listed above, as well as with initial registrations and renewals of MS/CV-endorsed limited entry permits (both of which are part of a separate collection, OMB Control No. 0620-0203). The ownership interest information is collected to determine compliance with the accumulation limits. If NMFS was not able to conduct such collections, or to conduct such collections less frequently, NMFS would not be able to track changes in shareholders or shareholder ownership interest amounts over time, and participants would have less motivation to stay within the accumulation limits. The accumulation limits are provided to meet the legal mandate under MSA which requires that individuals and/or entities should not receive access to a disproportionate amount of the resource. It makes sense to collect this information in tandem with the annual renewals of permits/accounts because participants are accustomed to submitting information to NMFS at this time of year as part of renewals.

*QS Transfer (4), QP Transfer from QS Account to Vessel Account (5), QP Transfer from Vessel Account to Vessel Account (9)*

The transfer of assets (QS and QP) under the trawl rationalization program is important for business entities and the government. Collecting this information less frequently, by perhaps setting short periods during the year when these transfers could be made, would hinder the flexibility the shorebased trawl program was intended to create for business transactions. QS and vessel accounts function just like savings and checking accounts, and while these transfers are a collection of information by a Federal agency, they are also a necessary business function for fishing and purposes, just like the transfer of money between bank accounts. The QS/QP accounting system is critical to the execution of the fishery and the benefits of the trawl rationalization program cannot be realized without a real-time accounting system that allows for the transfer of QS and QP. Business owners need confirmation of transactions for their private business agreements, and NMFS needs the information to track in-season balances and compliance with regulations.

*Mothership Permit Change of Vessel Registration, Permit Owner, or Vessel Owner Application Form (15), Change of MS/CV-Endorsement and Catch History Assignment Registration Application Form (17)*

Because permits and endorsements convey a conditional privilege given by NMFS, any transfer of such privilege to another permit owner or vessel owner must be formally registered with NMFS. Permit owner, vessel owner, vessel registration, and endorsement registration information is important in enforcing management regulations, providing authorized participants with notice of fishery information during the season, and providing analysts with high quality permit data.

*Mothership Cooperative Permit Application Form (16), Catcher/Processor Cooperative Permit*

*Application Form (20), Mutual Agreement Exception (18), Mothership Withdrawal (19), Material Change (21)*

The MS and C/P coops serve to manage the harvest of whiting through a coop agreement with all members, and NMFS relies on the coops for effective management of the at-sea sectors. The coop permits, and specifically the coop agreements that must be submitted with the coop permit applications, are the mechanism to effectively manage the fishing activities, including the monitoring and enforcement activities within the coop. Any changes must be provided to NMFS to ensure that the written agreement matches the practice of the coops. These collections are essential to managing the participants and any changes in the fishery. Any removal of these collections would result in an undocumented at-sea fishery, while any reduction of these collections would allow for a situation in which the information collected by NMFS may not match the practice in the coops.

*QS Abandonment Request (22)*

If this collection was not conducted, QS permit owners would not have as much flexibility for abandoning QS percentages in excess of the control limit for aggregate nonwhiting QS holdings, as provided for in regulation. This information collection is completely voluntary.

*(23) Catch Monitoring Plans/ First Receivers - Preparation and Submission, Catch Monitoring Plans/ First Receivers – Inspection, Shorebased scales/ First Receivers- Inspection, Shorebased scales/ First Receivers- Reports*

Data collected by certified observers and catch monitors are necessary for the conservation and management of the Pacific Coast groundfish fishery. Maintaining the integrity of the data collections is an important aspect of the trawl rationalization program and assuring that individual catch accountability is maintained. The trawl fishery is a multispecies fishery in which the allowable harvest levels for some stocks (potentially including overfished species) constrain access to harvest of the full allocations of many targeted stocks. If the integrity of the monitoring program is not maintained, the elimination of individual accountability could generate an incentive to alter fishing behavior such that vessels targeted stocks that are more difficult to catch without encountering high levels of constraining species. The high level of quality monitoring under the trawl rationalization program has helped the fleet make tremendous bycatch reductions.

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

Not applicable to this collection.

**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 proposed rule (RIN 0648-BI35) soliciting public comments will be published coincident with this submission.

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

Not applicable to this collection.

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

Some of the information collected above is confidential under section 402(b) of the MSA. It is also confidential under [NOAA Administrative Order 216-100](#), Protection of Confidential Fisheries Statistics. All collections of phone numbers, fax numbers and email addresses are not released to the public. Transfer amount and price, tax identification number (TIN), date of birth (DOB), the names of individuals who have an ownership interest in an entity and the percentage of ownership, and cooperative agreements provided with coop permit applications are considered business confidential information. DOB is also protected under the Privacy Act. A statement of the confidentiality of this information is provided on each form.

The information collected is part of a Privacy Act System of Records (SORN), COMMERCE/NOAA #19, Permits and Registrations for United States Federally Regulated Fisheries. A notice was published in the Federal Register on April 17, 2008 (73 FR 20914) and became effective on June 11, 2008 (73 FR 33065). An amended SORN was published on August 7, 2015 (80 FR 47457) and became effective on 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 to this collection.

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

Collection	Responsible Party	Number of Respondents (a)	Frequency of Responses Per Year (b)	Total Number of Responses Per Year (c) = (a*b)	Average Time Per Response (In Minutes) (d)	Annual Burden (In Hours) (e) = (c)*(d/60)
1. QS Permit/Account Application Form (a)(b)	New QS Permit Applicants	8	1	8	20	2.66 (3)
2. QS Permit/Account Renewal - Online (a)(d)	QS Permit Owners	179	1	179	10	30
3. QS Permit/Account Renewal Form (a)	QS Permit Owners	1	1	1	15	0.25 (1)



4. QS Transfer (d)(e)	QS Permit Owners	48	1	48	10	8
5. QP Transfer from QS Account to Vessel Account (d)(e)	QS Permit Owners	180	5	900	5	75
6. Vessel Account Registration Request (a)	New Vessel Account Applicants	10	1	10	15	2.5 (3)
7. Vessel Account Renewal - Online (a)(d)	Vessel Account Owners	140	1	140	10	23.33 (23)
8. Vessel Account Renewal Form (a)	Vessel Account Owners	6	1	6	15	1.5 (2)
9. QP Transfer from Vessel Account to Vessel Account (d)(e)	Vessel Account Owners	146	11	1,606	5	133.83 (134)
10. Trawl Identification of Ownership Interest Form: New Entrants	New QS Permit Applicants (8), New Vessel Account Applicants (10), New MS/CV- Endorsed Limited Entry Permit Owners (1), New MS Permit Owners (1), Lenders (1) C/P Permit Owners (3)	24	1	31	45	23.25
11. Trawl Identification of Ownership Interest Form: Renewal (c)	QS Permit Owners (180), Vessel Account Owners (146), MS/CV- Endorsed LEP Owners (34), MS Permit Owners (6), Lenders (2) C/P Permit Owners (3)	368	1	368	3.2	19.79 (20)
12. First Receiver Site License Application Form: New Entrants (f)	New First Receiver Site License Applicants	2	1	2	200	6.66 (7)
13. First Receiver Site License Application Form: Re-Registration (f)	First Receiver Site License Holders	41	1	41	100	68.33 (68)
14. Mothership Permit Renewal Form (c)	MS Permit Owners	6	1	6	10	1
15. Mothership Permit Change of Vessel Registration, Permit Owner, or Vessel Owner Application Form	MS Permit Owners	1	1	1	35	0.58 (1)
16. Mothership Cooperative Permit Application Form (g)	MS Coop Entity	1	1	1	230	3.83 (4)
17. Change of MS/CV- Endorsement and Catch History Assignment Registration Application Form	MS/CV-Endorsed LEP Owners	1	1	1	35	0.58 (1)

18. Mutual Agreement Exception	MS/CV-Endorsed Limited Entry Permit Owners	1	1	1	60	1
19. Mothership Withdrawal	MS Permit Owners, MS/CV-Endorsed Limited Entry Permit Owners	1	1	1	120	2
20. Catcher/Processor Cooperative Permit Application Form (h)	C/P Coop Entity	1	1	1	110	1.83 (2)
21. Material Change (i)	MS Coop Entity, C/P Coop Entity	1	1	1	150	2.50 (3)
22. QS Abandonment Request	QS Permit Owners	1	1	1	10	0.16 (1)
23. Catch monitoring plans/ First receivers Preparation and Submission	Shorebased IFQ First Receivers	45	1	45	240	180
24. Catch monitoring plans/ First receivers Inspection	Shorebased IFQ First Receivers	45	1	45	120	90
25. Shorebased Scales/ First receivers Inspection	Shorebased IFQ First Receivers	45	Variable	45	60	45
26. Shorebased Scales/ First receivers Reports	Shorebased IFQ First Receivers	45	Variable	1350	10	225
<b>TOTALS</b>		<b>593 Unique Respondents</b>		<b>4839 Responses</b>		<b>953 (952.5) Annual Burden Hours</b>

**KEY**

- Paper form that is provided by NMFS

(a) - These collection types must be submitted with a trawl identification of ownership interest form, but the burden estimates do not include the estimate for the trawl identification of ownership interest form because it is listed separately.

(b) - This collection type includes new QS applicants and additional QS permit registrations required due to legal proceedings (i.e. death of a permit owner, permit conveyed to a beneficiary)

(c) - Online Optional

(d) - Online Only

(e) - Average time per response estimate includes the time required to initiate the transfer (transferor) and accept the transfer (transferee), as well as the time required to provide transaction price information.

(f) - Average time per response estimate includes the time required to prepare the catch monitor plan and the time for a designated contact person to be available for the site inspection. New applicants are required to have a site inspection before the license is issued. Re-registering FRSL sites are only required to have a site inspection once every three years

(g) - Average time per response estimate includes the time required to complete the application form and submit supplemental documentation, including the mothership coop agreement and signatures from all coop members (36 total).

(h) - Average time per response estimate includes the time required to complete the application form and submit supplemental documentation, including the catcher/processor coop agreement and signatures from all coop members (10 total).

(i) - Average time per response estimate includes the time required to update the coop agreement and gather signatures from all coop members. We estimate that it would take the mothership coop about 4 hours on average, and the catcher processor coop about 1 hour on average. We estimate one material change per year total, and averaged the mothership and catcher processor time.

Note - The above time burden does not estimate the time required to report the dissolution of a cooperative. We anticipate that dissolution of a coop will be a very rare event, and if it occurs will require a short letter from the coop manager and/or members stating that the coop has dissolved as of a given date.

**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).**

The total estimated annual cost burden to the respondents or record-keepers resulting from this collection is \$9,192.

Collection	Number of Respondents (a)	Frequency of Responses Per Year (b)	Total Number of Responses Per Year (c) = (a*b)	Mailing Costs to Respondent (d)	Copy Costs to Respondent (\$0.05/page) (e)	Application Fees (f)	Total Annual Cost Burden to Respondents (h) = (c) * (d+e+f)
1. QS Permit/Account Application Form	8	1	8	\$0.44	\$0.15	\$0.00	\$4.72
2. QS Permit/Account Renewal - Online	179	1	179	\$0.00	\$0.05	\$0.00	\$8.95
3. QS Permit/Account Renewal Form	1	1	1	\$0.44	\$0.05	\$0.00	\$0.49
4. QS Transfer	48	1	48	\$0.00	\$0.05	\$0.00	\$2.40
5. QP Transfer from QS Account to Vessel Account	180	5	900	\$0.00	\$0.05	\$0.00	\$45.00
6. Vessel Account Registration Request	10	1	10	\$0.44	\$0.05	\$0.00	\$4.90
7. Vessel Account Renewal - Online	140	1	140	\$0.00	\$0.05	\$0.00	\$7.00
8. Vessel Account Renewal Form	6	1	6	\$0.44	\$0.05	\$0.00	\$2.94
9. QP Transfer from Vessel Account to Vessel Account	146	11	1,606	\$0.00	\$0.05	\$0.00	\$80.30
10. Trawl Identification of Ownership Interest Form: New Entrants	24	1	31	Included With Other Applicable Forms	\$0.35	\$0.00	\$10.85
11. Trawl Identification of Ownership Interest Form: Renewal	368	1	368	Included With Other Applicable Forms	\$0.35	\$0.00	\$128.80
12. First Receiver Site License Application Form: New Entrants	2	1	2	\$1.52	\$0.20	\$200.00	\$403.44
13. First Receiver Site License Application Form: Re-Registration	41	1	41	\$1.52	\$0.20	\$200.00	\$8,270.52
14. Mothership Permit Renewal Form	6	1	6	\$0.44	\$0.10	\$0.00	\$3.24
15. Mothership Permit Change of Vessel Registration, Permit Owner, or Vessel Owner Application Form	1	1	1	\$0.44	\$0.15	\$0.00	\$0.59
16. Mothership Cooperative Permit Application Form	1	1	1	\$1.52	\$3.00	\$0.00	\$4.52

17. Change of MS/CV-Endorsement and Catch History Assignment Registration Application Form	1	1	1	\$0.44	\$0.15	\$0.00	\$0.59
18. Mutual Agreement Exception	1	1	1	\$1.52	\$0.10	\$0.00	\$1.62
19. Mothership Withdrawal	1	1	1	\$1.52	\$0.10	\$0.00	\$1.62
20. Catcher/Processor Cooperative Permit Application Form	1	1	1	\$1.52	\$2.50	\$0.00	\$4.02
21. Material Change	1	1	1	\$1.52	\$0.10	\$0.00	\$1.62
22. QS Abandonment Request	1	1	1	\$0.44	\$0.05	\$0.00	\$0.49
23. Catch monitoring plans/ First receivers Preparation and Submission	45	1	45	\$3	\$0.00	\$0.00	\$135
24. Catch monitoring plans/ First receivers Inspection	45	1	45	Included With Other Applicable Forms	\$0.00	\$0.00	\$0.00
25. Shorebased Scales/ First receivers Inspection	45	Variable	45	Included With Other Applicable Forms	\$0.00	\$0.00	\$0.00
26. Shorebased Scales/ First receivers Reports	45	Variable	1350	Included With Other Applicable Forms	\$0.05	\$0.00	\$67.50
<b>TOTAL REPORTING AND RECORD KEEPING COSTS</b>							<b>\$9,192 (\$9,191.5)</b>

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

NMFS will charge application/renewal fees for certain collections (as outlined above under question 13, column f) to recover some administrative costs. In addition, NMFS will incur ongoing program costs related to the trawl rationalization program which includes staff time to: prepare application and renewal packages, review and process (enter data) incoming registration, transfer and renewal applications, prepare decision documents and permit documents, maintain and improve the IFQ accounting system (QS and vessel accounts), and respond to permit owners and vessel account owners about application, account, and program questions. The estimated net administrative cost accruing to the Federal government is approximately \$713,500.

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

**Program Change:** There are currently three fishing companies (respondents) that own the ten existing C/P permits. These three respondents will now be required to complete one Trawl Identification of Ownership Interest (TIOI) form for each of the ten C/P permits (responses). This increases the number of TIOI Form: New Entrant respondents from 21 to 24, and the number of responses from 21 to 31. The number of burden hours increases by 7.5 (8) hours and the burden cost increases by \$3.50 (\$4) as a result of the requirement to include the 3 C/P Permit

Owners in the collections of the TIOI Form.

**Adjustments:** Currently, there are 10 C/P endorsed limited entry permits in the Pacific Coast Groundfish Trawl Rationalization Program. These permits are owned by three different fishing companies. Each year, all participating C/P endorsed vessels have registered as part of the C/P cooperative and are identified on the Catcher/Processor Cooperative Permit Application Form (OMB 0648-0620). The requested change in information collection would require from C/P permit owners the same level of ownership interest identification as required of Mother Ship and Catcher Vessel permit owners. The current cooperative structure of the C/P sector helps to ensure no single entity acquires excessive privilege in the sector. However, in the event of a coop failure, it would be necessary to set accumulation limits, which would require NMFS to track ownership interest in C/P endorsed permits. NMFS does not anticipate any new fishery entrants will apply for C/P endorsed permits, or that NMFS will approve any new C/P endorsed permits. For these reasons, completion of the Trawl Identification of Ownership Interest Form: New Entrants is expected to only be required once - during the first year of the change in collection, and primarily during C/P permit renewals in subsequent years.

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

The results from this collection are not planned for statistical publication.

**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 to this collection.

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

Not applicable to this collection.

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

Not applicable to this collection.