

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Alaska Chinook Salmon Economic Data Report (EDR)**  
**OMB CONTROL NO. 0648-0633**

**Abstract**

The National Marine Fisheries Service (NMFS) Alaska Region requests an extension of the currently approved information collection for the Annual Alaska Chinook Salmon Economic Data Report (Chinook Salmon EDR).

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

The Chinook Salmon EDR, also known as the Amendment 91 EDR, was implemented in 2012 (77 FR 5389, February 3, 2012) to evaluate the effectiveness of Chinook salmon bycatch management measures for the Bering Sea pollock fishery that were implemented under Amendment 91 to the FMP (75 FR 53025, August 30, 2010). The Chinook Salmon EDR Program provides information to the NMFS analysts and the Council staff and is intended to be used to evaluate the effectiveness of the Chinook Salmon Incentive Plan Agreement (IPA) (see Office of Management and Budget (OMB) Control No. 0648-0401). The Chinook Salmon EDR Program is intended to evaluate where, when, and how pollock fishing and salmon bycatch occur and to provide data to study and verify conclusions drawn by industry in the IPA annual reports.

The collection is not changed in applicability to respondents, online submission methods, or the information collected. However, the number of respondents, and responses, has decreased likely due to difficult fishing conditions. In addition, the hourly cost rate for respondent labor is decreased to reflect guidance on use wage rates, which results in a reduction in the cost estimate. Additional detail on governments costs has also been included in this supporting statement.

**Justification**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The Secretary of Commerce is responsible for the conservation and management of marine fishery resources within the EEZ of the United States through National Oceanic and Atmospheric Administration (NOAA)/NMFS. NMFS manages the groundfish fisheries in the EEZ off Alaska. The Council prepared the FMP under the authority of the [Magnuson-Stevens](#)

[Fishery Act](#), 16 U.S.C. 1801 *et seq.* The FMP is implemented under regulations at [50 CFR part 679](#).

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

The Chinook Salmon EDR is a mandatory reporting requirement under 50 CFR 679.65 for all entities participating in the AFA BSAI pollock trawl fishery. This includes vessel masters and businesses that own or lease one or more AFA-permitted vessels active in fishing or processing BSAI pollock, Western Alaska Community Development Quota (CDQ) groups receiving allocations of BSAI pollock, and representatives of sector entities receiving allocations of Chinook salmon PSC from NMFS.

The Chinook Salmon EDR, also known as the Amendment 91 EDR, was implemented in 2012 (77 FR 5389, February 3, 2012) to evaluate the effectiveness of Chinook salmon bycatch management measures for the Bering Sea pollock fishery that were implemented under Amendment 91 to the FMP (75 FR 53025, August 30, 2010). The Chinook Salmon EDR Program provides additional data to assess the effectiveness of the Chinook salmon bycatch management measures implemented under Amendment 91 to the FMP. The information collected is a combination of quantitative and qualitative data to conduct descriptive and quantitative analysis and comparisons of the annual and seasonal changes in the pollock fleet under Amendment 91.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The Chinook Salmon EDR Program is managed primarily by the Alaska Fisheries Science Center, with support from NMFS Alaska Region, and is administered in collaboration with Pacific States Marine Fisheries Commission (Pacific States). The only change in this this collection over time is that the responses are now all entered online.

The Chinook Salmon EDR Program uses three separate survey forms:

- ◆ Chinook PSC Allocation In-season Compensated Transfer Report (CTR) — collects transfer and monetary compensation information for Chinook salmon PSC allocations;
- ◆ Vessel Fuel Survey — collects average fuel consumption and annual fuel costs; and

- ◆ Vessel Master Survey — collects vessel master impressions of fishing experiences during the year as well as Chinook salmon PSC avoidance efforts.

Distinct conditions that require an entity to submit one or more of the respective forms are discussed in more detail below. In addition to the EDR program, the data collection measures developed by the Council for Amendment 91 also specified modification of the Daily Fishing Logbook (see OMB Control No. 0648-0213) for BSAI pollock trawl catcher vessels and catcher/processors (implemented for the 2012 fishing year) to add a "checkbox" to the tow-level logbook record requiring vessel operators to indicate instances when a vessel fishing pollock in the BSAI changed fishing locations, prior to each tow, for the primary purpose of avoiding Chinook salmon PSC. For AFA catcher/processors, this information is recorded in the Trawl Catcher/processor Electronic Logbook (see OMB Control No. 0648-0515) and submitted to NMFS via the eLandings system.

Pacific States has been designated by NMFS to be the Data Collection Agent for the Annual Chinook Salmon EDR. Pacific States mails EDR announcements and filing instructions to affected quota share permit holders, vessel owners, and applicable CDQ entities. The applicable Chinook Salmon EDR forms must be submitted annually online at [Pacific States website](#) on or before 1700 hours Alaska local time on June 1.

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

- ◆ The following must complete and submit the CTR EDR forms:

- An owner or leaseholder of an AFA-permitted vessel and the representative of any entity that received an allocation of Chinook salmon PSC from NMFS must complete and submit the Certification Page (Part 1) for the previous calendar year.
- Any person who transferred Chinook salmon PSC allocation after January 20, and paid or received money for the transfer, must submit a completed CTR (Part 1 and Part 2) for the previous calendar year.

- ◆ The following must complete and submit the Vessel Fuel Survey EDR forms:

- An owner or leaseholder of an AFA-permitted vessel must submit a completed Vessel Fuel Survey for each vessel used to harvest pollock in the Bering Sea in a given year.
- A catcher/processor leaseholder who harvested or processed groundfish in the Gulf of Alaska in that vessel.

- ◆ The following must complete and submit the Vessel Master Survey EDR forms:
  - An owner or leaseholder of an AFA-permitted vessel used to harvest pollock in the Bering Sea in the previous year must complete the Vessel Owner Certification (Part 1).
  - The vessel master of an AFA-permitted vessel used to harvest pollock in the Bering Sea in the previous year must complete the Vessel Master Survey, and the Vessel Master Certification (Part 2).
  - If a vessel did not participate in the Bering Sea pollock fishery during the reporting year, the vessel owner is required to submit only the Vessel Owner Certification Page of the Vessel Master Survey

### **CTR Verification Audit**

NMFS and Pacific States have developed measures to verify data submitted in the CTR. The principal means to verify data and resolve questions is through validation of data submitted in the CTR surveys against supporting records. The person submitting the EDR must respond within 20 days of NMFS's information request. Responses after 20 days could be considered untimely and could result in a violation and enforcement action. NMFS and Pacific States have determined that audits of the Vessel Fuel Survey and Vessel Master Survey are not authorized by the Chinook Salmon EDR regulations and discontinued such audits in 2015.

For CTR verification, a NMFS-approved auditor may review and request copies of additional data provided by the owner or leaseholder, including but not limited to previously audited or reviewed financial statements, worksheets, tax returns, invoices, receipts, and other original documents substantiating the data. The NMFS-approved auditor verifies records by comparing specific elements of the report with participant accounting records. In 2020, NMFS suspended automated audit selections of the CTR and will now conduct audits only in cases of suspected gross non-compliance. Since there have been no CTR reports submitted since the collection was last renewed this does not result in any change in annual respondents, responses, or costs.

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

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

- Tax returns
- ◆ Record only whole numbers. Round up dollar figures to the next highest dollar.

### **Uses of Chinook Salmon EDR Program Data**

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

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

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

Information on the affiliation of transferor and transferee is used to determine the independence of the parties of any reported compensated transfer. This is required to differentiate market-based transactions and associated prices from transfer payments between affiliated or integrated entities. The majority of the respondents are vessels engaged in either catching or catching and processing pollock. Firms that also own inshore processing plants as well as catcher vessels and/or catcher/processors are ownership affiliated entities. Owners of inshore processing plants may also be familiar with specific Chinook salmon PSC transfers and are potential respondents for the CTR.

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

These data, combined with other information in the Chinook Salmon EDR Program, provide information on movements of a vessel to avoid Chinook salmon in order to minimize Chinook salmon PSC. Fuel use and price data are not available for vessels in the pollock fishery in any

uniform format. NMFS applies fuel usage data to assess the extent to which fleet members are willing to incur these expenses to avoid Chinook salmon PSC. These data provide useful estimates of fuel usage for evaluating the effects of Amendment 91.

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

Many masters compile notes in-season to be used for response to the specific survey at year-end. The burden associated with tracking vessel activity in order to complete the survey varies depending on the circumstances encountered during the year.

Information Requirements and Needs and Uses of Information Collected

Requirement	Statute	Regulation	Form #	Needs and Uses
Annual Chinook Salmon EDR	16 U.S.C. 1801 <i>et seq.</i>	50 CFR 679.65	On-line via web form	<ul style="list-style-type: none"> <li>● Used by NMFS in annual reports and regulatory analysis.</li> <li>● Used by Council staff and NMFS staff in evaluating effectiveness of BSAI FMP Amendment 91.</li> <li>● Used by partnered researchers to conduct fishery economic research.</li> </ul>

Information derived from the collected data will be disseminated to the public consistent with applicable requirements for nondisclosure of confidential information or used to support publicly disseminated information. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

This collection is 100 percent electronic; the Chinook salmon EDR reports are all submitted online using the Pacific States economic data reporting web application at <https://chinookedr.psmfc.org/>.

Pacific States, ensures compliance via communication via e-mail to non-respondents reminding them of the requirement to complete the Chinook Salmon EDR. If necessary, a follow up e-mail is sent (example attached) as a further reminder. The Chinook salmon EDR regulations also allow NMFS to authorize a formal data verification audit, which can be done in cases of gross noncompliance. Finally, a referral to the NOAA Office of Law Enforcement can be used to enforce compliance; however, these actions have not been necessary since the Chinook Salmon EDR program was enacted.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2**

None of the information collected as part of this information collection duplicates other collections. This information collection is part of a specialized and unique technical program.

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

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

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

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

The CTR in conjunction with data from IPA reports provides information on the number and

characteristics of Chinook salmon PSC transfers. Without this data, NMFS will not be able to tell how vessels differ from each other in terms of efficient use of Chinook salmon PSC or of the costs of avoiding Chinook salmon PSC. Without this data, it will not be possible to determine if the trading of Chinook salmon PSC is occurring and if it is occurring what impact it may have on mitigating the impacts of Chinook salmon PSC limits.

Without the Vessel Master Survey, we will not understand the tradeoffs vessel masters made to avoid Chinook salmon. NMFS may not be able to detect if there is essential information missing in other survey or report data that is needed to evaluate the effect of the IPAs implemented by Amendment 91.

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

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with OMB guidelines.**

This collection will be conducted in a manner that is consistent with OMB guidelines.

**8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

A *Federal Register* notice published on January 13, 2021 (82 FR 2646), solicited public comments. NMFS received several comments from one member of the public, addressing issues that are outside the scope of this information collection renewal. The commenter did not support this action because of the effects of fishing on natural resources including marine mammals, suggested that NMFS stop all fishing for pollock and salmon, advocated for NMFS to stop allowing the use of large nets, asserted that NMFS is allowing overfishing, and supports making the sea a marine sanctuary.

Response: These comments address management issues that are beyond the scope of the information collection renewal for the Chinook Salmon EDR. The renewal of an information collection to monitor salmon bycatch avoidance activities does not change any management measures that govern the harvest of allocated pollock or salmon, such as fishing location, timing, effort, or authorized gear types. The Magnuson-Stevens Act and the BSAI FMP require, among other things, that the Council and NMFS manage fisheries to prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery and base management decisions on the best scientific information available.

The commenter provided no information to support halting commercial groundfish fishing and



salmon fishing. Currently, commercial groundfish fisheries off Alaska are responsibly managed with conservative harvest strategies and provide important economic benefits to Alaskan communities. The BSAI pollock fishery is not in an overfished condition or experiencing overfishing. Chinook and chum salmon are regulatory designated prohibited species within the BSAI pollock fishery and subject to an allocated hard cap that has not been exceeded. In addition, directed fishing for salmon species is managed by the Alaska Department of Fish and Game not NMFS.

This information collection renewal continues collection of data to monitor fleet avoidance of salmon prohibited species catch and does not apply in any way to marine mammal interactions. Further, the BSAI is managed with many protections for various species, and critical habitat areas many of which are similar to marine protected areas.

Comments were also solicited through public testimony in the Council process on January 31, 2020. The Council has been reviewing all of the EDR collections over the past several years, first with a request for a discussion paper comparing the various EDRs. Next, the Council moved to consider a regulatory amendment to revise the EDR program collections and received an initial review draft of that analysis in January 2020. The Council postponed action and charged its Social Sciences Planning Team (SSPT) to conduct further stakeholder outreach.

The SSPT held an EDR Program stakeholder meeting, a separate team meeting, and in November 2020 held four separate stakeholder meetings, one for each EDR collection. The SSPT will meet in early March 2021 to receive a draft outreach report and will provide recommendations for EDR revision alternatives to the Council in April 2021.

Public testimony related to this collection during the January/February 2020 Council meeting focused on the longevity of this collection, and how the AFA fishery is consistent from year to year—perhaps making annual submission unnecessary. A commenter suggested that all annual EDRs be suspended and only required in years of limited access privilege program (e.g., catch shares) review. Respondents who testified contend that some of the information is available from other sources and duplication needs to be reviewed for elimination. While some of the information in this collection may appear in other industry provided reports, such as cooperative reports, this collection provides a unique cross-sectional time series set of vessel-level observations that are of consistently high quality. Other aggregated data sources or voluntarily provided information do not provide disaggregated data or have the level of oversight and quality control present in the EDR Program.

Several commenters contend that the EDR data is not being used in the Council's fisheries management decision making process; however, EDR data from this collection is used in the Council process to develop analyses that the Council then reviews in order to take management actions and to review the efficacy of the Chinook Salmon EDR. All of these issues will be considered during the upcoming SSPT comprehensive review of the EDR programs that will be presented to the Council in April 2021, where additional public comment on EDR revisions will be taken.

All participants in the AFA pollock fishery were invited to attend an online Chinook Salmon

EDR outreach meeting on November 23, 2020. The meeting was managed by Council staff assigned to the SSPT, along with the assistance of a contracted meeting facilitator, and was attended by a subgroup of the SSPT. Nine AFA representatives participated in the webinar. The following is a summary of comments received and consensus responses.

**Comment:** The purpose and need for the Chinook Salmon EDR needs to be revised to reflect current conditions in the fishery.

**Response:** NMFS agrees, and the Council will be receiving recommendations from the SSPT regarding revisions to the purpose and need for this information collection.

**Comment:** The EDR program is duplicative with the Council's required IPAs for bycatch reduction.

**Response:** NMFS disagrees. The IPAs use publicly available data to detail the use of cooperative quota as a way to track the effectiveness of cooperatives and their ability to meet the Council's goals. In contrast the EDR data is non-public cost of compliance data. The Chinook Salmon EDR looks specifically at the costs of salmon avoidance and this information is not available from any other source; however, analysis of EDR program revision alternatives will consider whether there is unnecessary duplication with existing data sources.

**Comment:** EDRs do not provide useful insight into bycatch avoidance behavior and costs to industry.

**Response:** NMFS disagrees. The Chinook Salmon EDR does collect cost of compliance data; however, the collection has not been revised to fine tune the collection for this purpose in light of changes in Chinook salmon encounter rates, dispersal of the pollock stock away from areas of high Chinook salmon encounters, and declining abundance of Chinook salmon.

**Comment:** The CTR has never been used and is not aligned with how the industry operates to transfer PSC.

**Response:** NMFS acknowledges that the CTR has not been used in recent years during times of lower Chinook salmon encounters. However, the report was used twice in the early years of this information collection and could be used again if the allocated Chinook salmon PSC caps become binding constraints to operations in the future. NMFS acknowledge that there may be other ways to transfer Chinook salmon PSC and will consider whether revision to the report to account for such transfers is warranted.

**Comment:** The Vessel Fuel Survey and Vessel Master Survey collections do not provide the data needed to assess the effectiveness of Chinook salmon PSC avoidance, as bycatch avoidance is one of many factors that can influence vessel movement and fishing behavior, and that assessing behavior and evaluating the effectiveness of IPAs is a complex challenge.

**Response:** NMFS agrees. This data collection has not functioned as intended because vessel movement data is not available as anticipated, and because vessels might move and incur

bycatch avoidance costs for reasons other than a high-bycatch tow, such as word-of-mouth communication within the fleet. There are also concerns with the qualitative format of the Vessel Master Survey. Analysts will consider, as part of the analysis of EDR revision alternatives, whether survey design could be changed to improve efficiency and data quality while reducing burden.

**Comment:** It is necessary to revisit the expectations of this EDR program and consider whether they are realistic.

**Response:** NMFS agrees and will include this topic in the analysis of EDR revision alternatives that will be undertaken by the Council staff and NMFS analysts in 2021.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

No payment or gift is provided under the Chinook Salmon EDR program.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.**

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

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

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

The regulations further provide for granting access to Council members under conditions that are

unlikely to be met in the case of these Chinook Salmon EDR data, and individual submitters may request that their own records be released to themselves or a third party.

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

The system of records notice that covers this information collection is [COMMERCE/NOAA #16, Economic Data Reports for Alaska Federally Regulated Fisheries off the Coast of Alaska](#).

The Privacy Impact Assessment that covers this information collection is [NOAA NMFS Alaska Region Local Area Network \(NOAA4700\)](#).

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

This information collection does not involve information of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information.**

The Chinook Salmon EDR applies to all entities that receive pollock allocations under the AFA. The designated Data Collection Agent, Pacific States, maintains a database of survey submissions that was queried for 2019 respondent numbers. Each submission constitutes a single response with completion of the CTR estimated at 40 hours due to its length while the CTR verification audit, the Vessel Fuel Survey, and the Vessel Master Survey are estimated to require 4 hours to complete. Due to low Chinook salmon encounters in the pollock fishery and low Chinook salmon abundance, compensated transfers have not occurred in recent years and are not expected to occur over the next three years. This collection is estimated to have a total number of annual responses of 150 with total burden hours of 600 resulting in a total annual wage burden cost of \$22,200. Responses will vary from year to year depending on fishing effort, which has declined in the Alaska pollock fishery in recent years due to poor fishing conditions with the fleet experiencing very small fish not suitable for fillet production and fish being more widely dispersed. In 2020, for example, the AFA pollock fleet could not cost effectively harvest all allocated B season quota with the inshore sector harvesting 95 percent, the catcher/processor

sector harvesting 90 percent, and the CDQ sector harvesting 79 percent of B season quota. In total for 2020, 5 percent, or nearly 71,000 metric tons of pollock was not harvested from the Bering Sea. If fishing conditions improve, this information collection could receive more responses as evidenced by the previous renewal, which reported 182 total responses.

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents/year (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses** (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hrs (e) = (c) x (d)	Hourly Wage Rate * (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Compensated Transfer Report	Accountant/ Manager	1	1	1	40	40	\$37	\$1,480
Vessel Fuel Survey	Accountant/ Manager	53	1	53	4	212	\$37	\$7,844
Vessel Master Survey	Vessel Master	97	1	97	4	388	\$37	\$14,356
CTR Verification Audit	Accountant/ Manager	1	1	1	4	4	\$37	\$37
<b>Totals</b>				<b>152</b>		<b>644</b>		<b>\$23,717</b>

\* The \$37 per hour (rounded) is the Bureau of Labor Statistics, Occupational and Employment and Wage Estimates for Alaska, May 2019 estimate for series 13-1051 ([https://www.bls.gov/oes/current/oes\\_ak.htm](https://www.bls.gov/oes/current/oes_ak.htm)). The EDR submissions are sufficiently similar to cost estimation processes in that they require reporting of cost of production data from multiple differing target fisheries. Further, NMFS has used this cost estimate in several of our recent EDR renewals (e.g., Gulf of Alaska Trawl Catcher Processor EDR [OMB Control No. 0648-0564, approved December 2020]) and presents its burden hour and cost per hour estimates for public comment and generally updates and revises them if it receives information that supports doing so.

\*\*Estimates are based on actual reporting

**13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).**

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection, as it is a renewal of an existing collection, and equipment used is customary business equipment.

This collection does not require additional recordkeeping burden or additional record-keepers, as records already customarily maintained are used to complete the collection forms. This collection may involve the use of photocopying, faxes, mail, and online access estimated to be approximately \$5 per respondent.

Information Collection	# of Respondents/year (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Cost Burden / Respondent (h)	Total Annual Cost Burden (i) = (c) x (h)
Compensated Transfer Report	1	1	1	\$0	0
Vessel Fuel Survey	53	1	53	Operating Costs: \$5	\$265
Vessel Master Survey	97	1	97	Operating Costs: \$5	\$485

CTR Verification Audit	1	1	1	\$0	0
<b>TOTALS</b>	<b>150</b>		<b>152</b>		<b>\$750</b>

**14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.**

NMFS costs associated with data collection for the Chinook Salmon EDR are recoverable through program cost recovery fees. Under this cost recovery program, NMFS is authorized to collect direct program costs from the permit holders, including agency costs for administration of mandatory recordkeeping and reporting requirements associated with the limited access privilege program. Therefore, the estimated Federal Oversight and Contractor costs associated with administration of the Chinook Salmon EDR shown in the table below do not impose a cost on the Federal Government.

These costs are actual costs for a Federal Oversight Economist’s proportion of time applied to this collection within the overall EDR Program. Costs for the contracted services of the Pacific States Marine Fisheries Commission administration of data collection are based on a firm fixed prices mechanism and are inclusive of salaries, fringe benefits, supplies, and other miscellaneous costs.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	ZP III/03	\$ 166,081	11		\$ 18,269
Other Federal Positions					
Contractor Cost					\$ 66,545
Travel					
Other Costs:					
<b>TOTAL</b>					<b>\$84,814</b>

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

Based on 2019 data, the most recent year for which this collection has been completed, total respondents and responses have decreased from 182 to 150. This 32-response reduction is likely due to reduced fishing effort in recent years, as fishing conditions and the physical size of pollock have declined (see discussion of Question 12). Burden hours per response have remained the same as in the previous renewal. However, the decline in responses results in a reduction in burden hours from 728 to 600, or a reduction of 128 burden hours.

Information Collection	Respondents		Responses		Burden Hours		Reason for change or adjustment
	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	
Compensated Transfer Report	1	1	1	1	40	1	IC Required to have a burden to stay active in ROCIS. Though no responses anticipated in the next 3 years, potential still remains in the future. The burden response time was adjusted to reflect the actual burden if a response is filed.
Vessel Fuel Survey	53	65	53	65	212	260	Consolidation of multiple vessel surveys into a combined single response via the web portal.
Vessel Master Survey	97	117	97	117	388	468	Reduced fishing effort and poor fishing conditions/fish quality.
CTR Verification Audit	1	1	1	1	4	1	IC Required to have a burden to stay active in ROCIS. Though no responses anticipated in the next 3 years, potential still remains in the future. The burden response time was adjusted to reflect the actual burden if a response is filed.
<b>Total for Collection</b>	<b>152</b>	<b>184</b>	<b>152</b>	<b>184</b>	<b>644</b>	<b>730</b>	
<b>Difference</b>	<b>(32)</b>		<b>(32)</b>		<b>(86)</b>		

The decline in responses has consequently resulted in a decline in labor costs and miscellaneous costs. In total, labor costs have declined \$32,400 from \$54,600 to \$22,200, and miscellaneous costs declined from \$910 to \$750, or \$160. The total decline in labor costs of \$32,400 is also due to a reduction in labor hour costs from \$75 per hour to \$37 per hour with the latter being based on Bureau of Labor Statistics data for Alaska. Public comment for the previous renewal did include one comment indicating that the \$75 per hour rate was too high; however, it was retained for consistency while the agency sought additional information on EDR program response costs. Subsequently, new guidance and an analytical template for analysts preparing supporting statements has been developed and included instructions to use Bureau of Labor Statistics wage rates when estimating the labor costs of information collections. As a result, the recent renewal of the Gulf of Alaska Trawl Catcher Processor EDR information collection (OMB Control No. 0648-0564) used the Alaska based Bureau of Labor Statistics wage rate related to cost of production estimation or \$37 per hour, which was approved by the Office of

Information and Regulatory Affairs in December 2020. This renewal has also used the previously approved \$37 labor wage rate for consistency with our other EDR collections.

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Compensated Transfer Report	0	\$0	0	0	—
Vessel Fuel Survey	\$7,844	\$19,500	265	0	Reduced responses, reduced labor wage rate, and application of flat rate miscellaneous costs. Correcting previous omission of operating costs.
Vessel Master Survey	\$14,356	\$35,100	485	0	Reduced responses, reduced labor wage rate, and application of flat rate miscellaneous costs. Correcting previous omission of operating costs.
CTR Verification Audit	\$0	\$0	0	1	—
<b>Total for Collection</b>	<b>\$22,200</b>	<b>\$54,600</b>	<b>750</b>	<b>\$1</b>	
<b>Difference</b>	<b>(\$32,400)</b>		<b>749</b>		

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

The information collected will not be published. It is anticipated that the information collected will be disseminated in aggregated and non-confidential form to the public or used to support publicly disseminated information.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

The agency plans to display the expiration data for OMB approval of the information collection on all instruments.

**Explain each exception to the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”**

There are no exceptions to the certification statement. The agency certifies compliance with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).