

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Aleutian Islands Pollock Fishery Requirements
OMB Control No. 0648-0513

Abstract

The National Marine Fisheries Service (NMFS), Alaska Regional Office, requests extension of this currently approved information collection that contains the requirements for the annual participant letter for the Aleutian Islands (AI) pollock fishery.

The Aleut Corporation receives an annual AI pollock allocation for the purpose of economic development in Adak, Alaska. The Aleut Corporation's AI pollock fishery is set up so that harvesting pollock in the AI directed pollock fishery and processing pollock taken in the AI directed pollock fishery are authorized only for those harvesters and processors that are selected by The Aleut Corporation and approved by the NMFS Regional Administrator. The Aleut Corporation is required by Federal regulations to provide its selected harvesters and processors to NMFS for approval.

This information collection is necessary for NMFS to obtain the list of vessels and processors selected by The Aleut Corporation to harvest and process its annual AI pollock allocation. Without this information, NMFS would not know the participants selected by The Aleut Corporation and harvest rates could not be determined, which may result in allocations being exceeded.

A minor change was made to clarify that an original signature is not needed, and the participant letter may be submitted to NMFS electronically.

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 Magnuson-Stevens Fishery Conservation and Management Act ([Magnuson-Stevens Act](#); 16 U.S.C. 1801 *et seq.*) authorizes the North Pacific Fishery Management Council to prepare and amend fishery management plans for any fishery in waters under its jurisdiction. NMFS, Alaska Region, manages groundfish in the exclusive economic zone off Alaska under the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP). Regulations implementing the FMP appear at 50 CFR part 679.

In 2005, Amendment 82 to the FMP established a framework for the management of the Aleutian Islands subarea (AI) directed pollock fishery. Amendment 82 implemented a provision of the [Consolidated Appropriations Act of 2004](#) (Public Law 108-199, Sec. 803) that requires

the AI directed pollock fishery be allocated to The Aleut Corporation for the purpose of economic development in Adak, Alaska. The Aleut Corporation is identified in Pub. L. 108–199 as a business incorporated pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 *et seq.*).

More information on the AI pollock fishery is provided at [Aleutian Islands Pollock Fishery in Alaska](#) on the NMFS Alaska Region website.

Federal regulations at [50 CFR 679.4\(m\)](#) authorize harvesting pollock in the AI directed pollock fishery and processing pollock taken in the AI directed pollock fishery only for those harvesters and processors that are selected by The Aleut Corporation and approved by the Regional Administrator. The Aleut Corporation is required at [§ 679.4\(m\)\(2\)](#) to provide its selected harvesters and processors to NMFS for approval.

This information collection is necessary for NMFS to obtain the list of vessels and processors selected by The Aleut Corporation to harvest and process its annual AI pollock allocation. Without this information, NMFS would not know the participants selected by The Aleut Corporation and harvest rates could not be determined, which may result in allocations being exceeded.

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.

Annual AI Pollock Fishery Participant Letter

The annual AI pollock fishery participant letter lists the vessels and processors selected by The Aleut Corporation for participation in the AI directed pollock fishery for the next fishing year. The participant letter may be submitted at any time during the fishing year, but must be submitted each year at least 14 days before harvesting pollock or processing pollock in the AI directed pollock fishery.

A representative of The Aleut Corporation submits the participant letter to NMFS. The Aleut Corporation representative may submit the information by mail, delivery, email, or fax. There is no form for this collection.

The supporting statement for the 2018 extension erroneously stated that the original signature of the representative of The Aleut Corporation was needed; therefore, this letter could not be submitted to NMFS electronically. This is no regulatory requirement for an original signature and no reason an original signature is needed. The Aleut Corporation has submitted this letter by email.

The participant letter must contain the following information ([§ 679.4\(m\)\(2\)\(i\) through \(iii\)](#)):

- names of the vessels and processors selected for participation;
 - Federal fisheries permit numbers or Federal processor permit numbers of the participants;
- and

- fishing year for which participation approval is requested.

NMFS reviews this list and approves or disapproves each participant. NMFS provides The Aleut Corporation the list of approved participants and the date when participation in the AI directed pollock fishery may commence.

The Aleut Corporation provides each approved participant with a copy of NMFS' approval letter before harvesting or processing occurs ([§ 679.4\(m\)\(3\)\(iii\)](#)). A copy of this letter must be on board each vessel or retained on site at each shoreside processor or stationary floating processor at all times, and must be presented for inspection upon the request of any authorized officer ([§ 679.4\(m\)\(3\)\(iv\)](#)).

Other than clarifying how this collection is submitted to NMFS, no changes are made to this collection.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to Question 10 of this supporting statement for more information on confidentiality and privacy.

The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#) (the Information Quality Act), which requires NMFS to ensure the quality, objectivity, utility, and integrity of information it publicly disseminates. Public dissemination of data collected by this information collection is governed by [NOAA's information quality guidelines](#), which were issued on October 30, 2014.

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.

The Aleut Corporation may submit their participant letter to NMFS by email. The Aleut Corporation distributes copies of NMFS' approval letter to participating vessels and processors as proof of approval to participate in the AI pollock fishery. Copies of the approval letter may be sent to the participants by email but they must be printed by the participants and available in hard copy format for inspection on the request of any authorized officer.

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 technical program that is not like any other.

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

This information collection does not impact small businesses or other small entities. The Aleut Corporation, which is the sole respondent for this collection, is a large entity under U.S. Small Business Administration criteria. NMFS attempts to minimize the burden of this collection on The Aleut Corporation by collecting only information necessary to manage the AI pollock fishery.

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.

Federal regulations require The Aleut Corporation to annually provide its selected harvesters and processors to NMFS for approval. NMFS would be unable to manage the AI pollock fishery or carry out the mandates of the Magnuson-Stevens Act if this collection were not conducted or were conducted less frequently. The participants selected by The Aleut Corporation would be unknown and harvest rates could not be determined, which may result in allocations being exceeded.

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 June 8, 2021 ([86 FR 30443](#)), that solicited public comments. In addition to the *Federal Register* notice, NMFS contacted The Aleut Corporation, the sole respondent for this collection, to obtain its views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format, and on the data elements to be recorded, disclosed, or reported. No comments were received from the *Federal Register* notice or from The Aleut Corporation in response to our inquiries.

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 this 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.

All information collections by NMFS, Alaska Region, are protected under confidentiality provisions of section 402(b) of the Magnuson-Stevens Act as amended in 2006 (16 U.S.C. 1801, *et seq.*) and under [NOAA Administrative Order 216-100](#), which sets forth procedures to protect confidentiality of fishery statistics.

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

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 Aleut Corporation is the only respondent. During the 2018 extension of this collection, NMFS received comment from The Aleut Corporation respondent that the estimates used were appropriate. As no comments were received during the current extension, we are continuing to use these estimates.

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)
Annual Aleutian Islands Pollock Fishery Participant Letter	representative of The Aleut Corporation	1	1	1	16 hrs	16 hrs	\$37	\$592

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).

Operating costs account for the typical inclusive general office services packages that include expenses for email, fax, copying, mailing, printing, and internet.

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)
Annual Aleutian Islands Pollock Fishery Participant Letter	1	1	1	Operating costs - \$5	\$5

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.

A cost recovery program is in effect for the AI pollock fishery. Cost recovery is authorized under OMB Control Number 0648-0711.

Under this cost recovery program, NMFS is authorized to collect direct program costs from The Aleut Corporation. Therefore, the information collection requirements of the AI pollock fishery do not impose a cost on the Federal Government. Direct program costs are the costs NMFS incurs to manage, collect data from, and enforce the AI pollock fishery.

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

There was no change to the number of respondents, responses, burden hours, or the labor costs.

Information Collection	Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	
Annual Aleutian Islands Pollock Fishery Participant Letter	\$5	\$1	Misc. costs: Adjusted to account for typical inclusive general office services packages.
Difference	\$4		

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 list of approved harvesters and processors that are selected by The Aleut Corporation and approved by the Regional Administrator is posted at [Permits and Licenses Issued in Alaska](#) on the NMFS Alaska Region website.

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.

There is no form associated with this information collection. The information is submitted in a letter, and no specific format is required.

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

The agency certifies compliance with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).