

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Alaska Cost Recovery and Fee Programs
OMB Control No. 0648-0711

Abstract

The National Marine Fisheries Service Alaska Regional Office (NMFS AKR), requests revision and extension of this currently approved information collection that contains requirements for the NMFS Alaska Region cost recovery fee programs and the observer coverage fee program.

NMFS AKR recovers program costs for seven cost recovery programs: Pacific Halibut and Sablefish Individual Fishing Quota (IFQ) Program, Crab Rationalization Program, Central Gulf of Alaska Rockfish Program, Western Alaska Community Development Quota (CDQ) Program for groundfish and halibut, Aleutian Islands Pollock Program, and American Fisheries Act Program, Amendment 80 Program. This information collection is necessary under the Magnuson-Stevens Act, which authorizes observer deployment fees and requires cost recovery fees to be collected for all limited access privilege (LAP) programs and community development quota (CDQ) programs.

Three revisions are made to this collection. A slight revision is requested to change the title of the collection from “Alaska Quota Cost Recovery Programs” to “Alaska Cost Recovery and Fee Programs” to better reflect the contents of this information collection. Two forms have been revised and renamed and are now reported separately from the cost recovery fees in the tables in this supporting statement because NMFS AKR has finished transitioning to online payments only and these forms are no longer used to submit payments. Minor editorial changes are made to all the forms in this collection to improve clarity and consistency.

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.

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

This information collection contains requirements for the NMFS Alaska Region cost recovery fee programs and the observer coverage fee program. This information collection is necessary

under the Magnuson-Stevens Act, which authorizes observer deployment fees and requires cost recovery fees to be collected for all limited access privilege (LAP) programs and community development quota (CDQ) programs. The fee calculation forms and the volume and value reports contained in this collection are necessary to track, verify, and enforce the fee collection systems.

This information collection is required in Federal regulations at 50 CFR parts 679 and 680. The specific regulations for the instruments in this information collection are provided in the table in question #2 below. Information on the observer coverage fee and cost recovery fee programs is provided on the [cost recovery programs, fee collection, and fee payment website](#) for the NMFS Alaska Region.

Cost Recovery Fees

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

NMFS recovers the program costs associated with management, data collection, and enforcement of the seven cost recovery programs in this information collection (see the table under #2). For any of these tasks, NMFS may recover only those costs for activities or aspects of activities that NMFS did not have to undertake prior to implementation or establishment of the program. Examples of the specific management activities undertaken by staff at the NMFS Alaska Region or the Alaska Fishery Science Center that are recoverable include at-sea scale inspections, creation and maintenance of software programs to track exclusive harvest privileges, development and implementation of regulation changes for programs subject to cost recovery, and staff time devoted to monitoring and tracking catch associated with a fishery subject to cost recovery.

Observer Coverage Fee

Section 313 of the Magnuson-Stevens Act authorizes a system of fees to support a fisheries research plan and deploy observers in the North Pacific fisheries. Unlike the cost recovery fees, this is a straight fee and does not recover incremental costs associated with the program. NMFS assesses a fee of 1.65 percent of the ex-vessel value of groundfish and halibut landed in the partial coverage category under the North Pacific Observer Program (Observer Program) ([85 FR 41424](#), July 10, 2020). The fee percentage is set in regulations at § 679.55 and reviewed periodically by the Council. Vessels and processing plants in the full coverage category under the Observer Program directly pay observer providers for the observer on their vessel or in their plant. Information on the Observer Program is provided on the [Observer Program website](#) for the NMFS Alaska Region.

The observer coverage fee funds deployment of observers and electronic monitoring in the partial coverage category of the Observer Program. NMFS is authorized to use the observer fees for stationing observers and electronic monitoring systems on board fishing vessels and processing plants that have been selected for observer coverage in the partial coverage category. The information collected by observers provides scientific information for minimizing bycatch

and managing the groundfish and halibut fisheries in the BSAI and Gulf of Alaska.

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.

This information collection contains the following NMFS Alaska Region fee payments, reports, and appeals. All are submitted annually except for the two fee calculation forms and appeals, which are submitted when needed.

Requirements	Regulations (50 CFR)	Who submits the fee or information?	How is the payment or information submitted ?	Is there a form?	Payment or Submission Deadline
<i>Observer Coverage Fee</i>					
Observer Coverage Fee Payment	§ 679.55	While the owners of catcher vessels and processors in the partial coverage category of the Observer Program are each responsible for paying their portion of the fee, the owners of shoreside or stationary floating processors and registered buyers are responsible for collecting the fees from catcher vessels, and remitting the full fee to NMFS. Owners of catcher/processors in the partial coverage category are responsible for remitting the full fee to NMFS.	eFISH	N	February 15 of the year following the calendar year in which the groundfish or halibut landings subject to the observer coverage fee were made
<i>Cost Recovery Fee</i>					
Pacific Halibut and Sablefish Individual Fishing Quota (IFQ) Program	§§ 679.5(l)(7)(ii) and 679.45	<ul style="list-style-type: none"> • IFQ permit holder with IFQ and/or guided angler fish (GAF) landings • RQE representative • CDQ groups that lease (receive by transfer) halibut IFQ 	eFISH	N	January 31 following the calendar year in which the IFQ and/or GAF landings were made
Crab Rationalization (CR) Program	§§ 680.5(g) and 680.44	Each Registered Crab Receiver (RCR) who receives CR crab	eFISH	N	July 31 following the crab fishing year in which the CR crab landings were made
Rockfish Program	§ 679.85	Rockfish cooperative quota (CQ) permit holders who hold a rockfish CQ permit against which landings were made	eFISH	N	February 15 of the year following the calendar year in which the rockfish CQ landings were made
Western Alaska Community Development Quota	§ 679.33	Representative at the time of landing of each CDQ group that receives a CDQ allocation of	eFISH	N	December 31 of the calendar year in which the CDQ groundfish and halibut landings

Requirements	Regulations (50 CFR)	Who submits the fee or information?	How is the payment or information submitted?	Is there a form?	Payment or Submission Deadline
(CDQ) Program for groundfish and halibut		groundfish and halibut			were made
American Fisheries Act (AFA) Program	§ 679.66	The designated representative on the AFA inshore cooperative permit at the time of a Bering Sea pollock landing is responsible for submitting the fee. The AFA catcher/processor and mothership sectors are no longer subject to the fee.	eFISH	N	December 31 of the calendar year in which the Bering Sea pollock landings were made
Aleutian Islands Pollock Program	§ 679.67	Authorized representative designated by the Aleut Corporation	eFISH	N	December 31 of the calendar year in which the Aleutian Islands pollock landings were made
Amendment 80 Program	§§ 679.5(u) and 679.95	Authorized representative designated by the Amendment 80 cooperative	eFISH	N	December 31 of the calendar year in which the Amendment 80 CQ landings were made
IFQ Permit Holder Fee Calculation Form	§ 679.5(l)(7)(ii)	IFQ fishery participants paying their actual fee rather than their NMFS assessed fee liability use this form to submit calculations and documentation supporting their revised fee liability.	mail (OMD) fax (OMD)	Y	January 31
Registered Crab Receiver Fee Calculation Form	§ 680.5(g)	RCRs paying their actual fee rather than their NMFS assessed fee liability use this form to submit calculations and documentation supporting their revised fee liability.	mail (OMD) fax (OMD)	Y	July 31
<i>Volume and Value Reports</i>					
IFQ Registered Buyer Ex-vessel Volume and Value Report (IFQ Buyer Report)	§ 679.5(l)(7)(i)	IFQ Registered Buyers that operate as shoreside processors and receive and purchase IFQ landings of sablefish or halibut or CDQ landings of halibut	eFISH mail (RAM) fax (RAM)	Y	October 15 following the reporting period in which the IFQ Registered Buyer receives the IFQ fish or CDQ halibut. Reporting period: October 1–September 30 of the following year
CR Registered Crab Receiver Ex-vessel Volume and Value Report	§ 680.5(m)	RCR that operates as a shoreside processor or stationary floating crab processor and receives and purchases landings of CR crab for each reporting period in which the RCR receives CR crab	eFISH	N	May 31 of the reporting period in which the RCR received the CR crab. Reporting period: August 1–May 31 of the following year

Requirements	Regulations (50 CFR)	Who submits the fee or information?	How is the payment or information submitted?	Is there a form?	Payment or Submission Deadline
Rockfish Ex-vessel Volume and Value Report	§ 679.5(r)(10)	Shoreside processors that receive Rockfish Program CQ groundfish	eFISH	N	December 1 of the year in which the rockfish processor received the rockfish CQ groundfish Reporting period: May 1–November 15 of each year
Pacific Cod Ex-vessel Volume and Value Report	§ 679.5(u)(1)	Shoreside processor designated on an FPP or a mothership designated on an FFP and that processes landings of either CDQ Pacific cod or BSAI Pacific cod harvested by a vessel using trawl gear for each reporting period for which received Pacific cod	eFISH	N	November 10 of the year in which the processor or mothership received the Pacific cod. Reporting period: January 1–October 31 of the year in which the landings were made
First Wholesale Volume and Value Report	§ 679.5(u)(2)	Amendment 80 vessel owner that harvests Amendment 80 and CDQ species, other than Pacific cod, for each reporting period for which the vessel harvests Amendment 80 and CDQ species	eFISH	N	November 10 of the year in which the Amendment 80 vessel received the groundfish species, other than Pacific cod. Reporting period: All species but rock sole, January 1–October 31; Rock sole (2 reporting periods), January 1–March 31 and April 1–October 31
<i>Appeals</i>					
Appeals	15 CFR 906	Any person who receives an initial administrative determination for incomplete payment of a cost recovery fee or observer coverage fee	mail fax	N	As needed

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

OMD — **Mail:** NMFS Alaska Region, Attn: Fee Coordinator, Operations and Management Division, P.O. Box 21668, Juneau, Alaska 99802-1668; **Fax:** 907-586-7255.

RAM — **Mail:** NMFS Alaska Region, Attn: RAM Program, P.O. Box 21668, Juneau, AK 99802-1668; **Fax:** 907-586-7354.

Appeals — **Mail:** National Appeals Office, 1315 East-West Highway, Silver Spring, MD 20910; **Fax:** 307-713-2384.

eFISH

NMFS collects fees and the volume and value reports through [eFISH](#), which is NMFS Alaska Region's online Fisheries Information System. Participants access eFISH using their user ID and temporary password issued by NMFS.

All fee payments must be made electronically through eFISH in U.S. dollars by automated clearing house, credit card, or electronic check drawn on a U.S. bank account. [Payment instructions](#) are posted on the NMFS Alaska Region website. To pay a fee, participants select the payments tab and select the link for the appropriate fee. The fee payment page summarizes their fee liability and transactions. After selecting "submit payment," the participant is redirected to a pay.gov payment entry screen. The participant provides the following information in pay.gov: payment amount, billing address, account holder name, payment method, and information associated with the payment method.

To submit a volume and value report, for each species the participant enters in the volume and value report the landing month, the pounds landed, and the value of the pounds purchased.

Dissemination of Information

This 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.

It is anticipated that some of the information collected will be disseminated to the public or used to support publicly disseminated information. NMFS and the National Appeals Office 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. See Question 16 of this Supporting Statement for information from this collection that is posted on the NMFS National Appeals Office website.

The sections below provide additional information on the requirements for observer and cost recovery fees, volume and value reports, and appeals.

a. Observer Coverage Fee Payment [no change]

The observer coverage fee is one of the two annual fees collected by NMFS Alaska Region under this information collection. More information on the observer fee is provided on the [observer fee collection and payment website](#) for the NMFS Alaska Region.

NMFS collects observer coverage fees to support the funding and deployment of observers and electronic monitoring (EM) on vessels and in plants in the Observer Program's partial coverage category. As of 2019, the funds from this fee have also been used to deploy EM in the fixed gear

fleet. This system of fees fairly and equitably distributes the cost of monitoring among all vessels and processors in the partial coverage category.

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

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

NMFS sends invoices to processors and registered buyers by January 15 of each calendar year. The invoice includes their fee amount for the landings in the previous year, the date due, and instructions for submitting payment. Payment is due through eFISH by February 15. Full payment of the fee is required before NMFS will issue a new or renewed Federal processor permit or registered buyer permit.

b. Cost Recovery Fee Payments [revised heading; previously included fee submission forms]

Cost recovery fees are the second type of fee collected annually by NMFS Alaska Region, which is approved under this information collection. More information on the cost recovery fees is provided on the [cost recovery programs, fee collection, and fee payment website](#) for the NMFS Alaska Region.

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

For each program, NMFS annually publishes in the *Federal Register* the fee percentage and standard ex-vessel prices used to calculate the cost recovery fee. Additionally, NMFS sends persons subject to the fees an invoice that includes their fee amount, the date due, and

instructions for submitting their payment.

Since the last extension of this information collection in 2018, NMFS has finished transitioning the payment of all cost recovery fees to online only. At the time of the 2018 extension, almost all cost recovery fees were required to be submitted electronically. Participants in the IFQ and CR Programs still had the option to submit payments by mail using the IFQ Permit Holder Fee Submission Form and the Registered Crab Receiver Fee Submission Form, respectively. Now, all fees must be submitted electronically. The fee submission forms have been revised and renamed, and are now reported separately from the cost recovery fee payments in the tables in questions 12, 13, and 15. These forms are described below.

c. Fee Calculation Forms [previously included with Cost Recovery Fee Payments; renamed and revised to remove fee payment information]

Revision: The IFQ Permit Holder Fee Submission Form and the Registered Crab Receiver Fee Submission Form have been revised and renamed the IFQ Permit Holder Fee Calculation Form and the Registered Crab Receiver Fee Calculation Form, respectively, and are now reported separately from the cost recovery fee payments. The revisions are necessary due to a final rule implemented in 2016 that revised the methods for paying fees and started the transition to online payments only ([81 FR 23645](#), April 22, 2016). Since the last extension of this information collection in 2018, NMFS has finished transitioning payment of all cost recovery fees to online. Prior to December 1, 2019, for the IFQ Program and June 1, 2020, for the CR Program, these forms could be used to submit cost recovery fee payments by mail. Both forms were revised with the final rule to show that NMFS was transitioning to online only, but they were never updated once they could no longer be used to submit payments by mail. The forms have been revised to show that payment must be submitted electronically. These forms are now used only by permit holders who disagree with their fee liability summary to submit calculations and documentation supporting a revised fee. No change is made to the estimated reporting burdens for these forms as the estimates allow for differences in the time needed to complete and submit the forms.

The fee calculation forms are used by permit holders who do not agree with their NMFS assessed fee liability and are paying a revised fee. IFQ permit holders who pay their actuals instead of their assessed amount use the IFQ Permit Holder Fee Calculation Form to calculate and submit documentation supporting their revised fee. Registered crab receivers who pay their actual fee instead of their assessed amount use the Registered Crab Receiver Fee Calculation Form to calculate and submit documentation supporting their revised fee. Examples of documentation supporting revised fees include valid fish tickets; sales receipts; check stubs that clearly identify the IFQ landing amount, species, date, time, and ex-vessel value or price; and check stubs that clearly identify the CR landing amount, species, date, time, and ex-vessel value or price. These forms are available as fillable pdfs on the [NMFS Alaska Region website](#).

The IFQ Permit Holder Fee Calculation Form collects the following information:

Overpayment

- Check if apply overpayment to future fees or issue refund.

Identification of IFQ Permit Holder or RQE

- IFQ permit holder or RQE name, NMFS Person ID
- Permanent business mailing address, telephone number, and email address

Applicant Signature

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

Fee Calculation Worksheet (Is not applicable to an RQE.)

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

The RCR Fee Calculation Form collects the following information:

Identification of RCR

- RCR name, NMFS Person ID, taxpayer ID, and date of birth or incorporation
- All RCR permit numbers held by permit holder
- Permanent business mailing address, telephone number, fax number, and email address

Applicant Signature

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

Crab Fee Calculation Worksheet

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

With this revision/renewal request, the forms were renamed and revised to show that payments are not submitted with these forms. Editorial changes were made to the forms to clarify what the forms are used for and how payments are now submitted. Information was added to the forms on how to submit the form by fax.

d. Volume and Value Reports [minor editorial changes made to IFQ Registered Buyer Ex-vessel Volume and Value Report form]

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

All but one of the reports must be submitted electronically through eFISH. Only the IFQ Register Buyer Ex-vessel Volume and Value Report has an option to submit by mail or fax. To submit this report by mail or fax, a [form](#) is available as a fillable pdf on the NMFS Alaska Region website.

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

information:

Identification of Registered Buyer

- Check yes or no if performed any shoreside activity this IFQ fishing year. If no, you do not need to submit the report.
- Registered Buyer name, permit number, NMFS person ID number, taxpayer ID number, and date of birth or incorporation
- Facility or vessel location (port location)
- Business mailing address: check if permanent or temporary
- Business telephone number, fax number, and email address

Non-Electronic Certification

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

Pounds Purchased and Value Report

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

As part of this extension request, minor editorial changes are made to the IFQ Registered Buyer Ex-vessel Volume and Value Report to increase clarity and improve consistency with NMFS RAM's other applications. This includes adding a statement to the beginning of the form that reminds registered buyers this information may be submitted online through eFISH and provides the website for the eFISH login.

e. Appeals [no change]

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

Administrative appeals of adverse decisions made by NMFS Alaska Region must be submitted to the NMFS National Appeals Office (NAO) in Silver Spring, Maryland. Instructions for submitting an appeal are provided on the [NAO website](#). The appeal may be submitted by fax (307-713-2384) or by mail or commercial carrier to National Appeals Office, 1315 East-West Highway, Silver Spring, MD 20910.

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.

NMFS collects all fees and the volume and value reports online through [eFISH](#). eFISH is the NMFS Alaska Region online Fisheries Information System. In addition to providing a method to pay fees and submit volume and value reports, eFISH provides an online method to submit applications and access to participants' NMFS permit accounts. eFISH allows participants to

check account balances, vessel balances, and landing ledger reports; quota share holdings reports, processor quota share holding reports from various fisheries; report landings; conduct quota transfers; renew certain fishery permits; report a GAF landing; and check a GAF permit balance. Persons access eFISH through a User ID and initial password issued by NMFS. [User guides for eFISH](#) are posted on the NMFS Alaska Region website.

The IFQ Permit Holder Fee Calculation Form, Registered Crab Receiver Fee Calculation Form, and the IFQ Register Buyer Ex-vessel Volume and Value Report form are available as fillable pdfs on the NMFS Alaska Region website. These forms may be completed electronically by the participant, downloaded, printed, and submitted to NMFS by mail or fax.

NMFS Alaska Region is working toward offering more online services. The current data entry and retrieval system is nearing the end of its life, and a new database is in development. NMFS Alaska Region is working toward offering more online services.

Administrative appeals cannot be submitted electronically because the National Appeals Office requires submission of documents by fax, mail, or delivery to provide the appropriate record for legal proceedings.

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

No duplication exists with other information collections.

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

NMFS attempts to minimize the burden of this information collection on all respondents by collecting only information necessary to manage the programs, by providing and supporting the online data collection program eFISH, and by providing assistance to users online and by phone. The burden on all participants is minimized by providing for electronic payment of fees and submission of the volume and value reports. eFISH, the electronic technology used to submit payment and some reports, is used by participants for other reporting and recordkeeping requirements in their fisheries. Electronic payment and submission improves data security, reduces the administrative costs of processing payments and reports, and provides an efficient and more accurate method for persons to submit the fees and reports.

eFish has a “help” link within the application that users can click on to view help options and user guides. User guides for eFISH are posted at <https://www.fisheries.noaa.gov/resource/document/user-guides-efish-online-services>. NMFS also maintains documentation about eFISH in the eLandings Wiki (Confluence), located at <https://elandings.atlassian.net/wiki/spaces/doc/pages/31096857/eFISH+Web+Application>. In addition, NMFS maintains a help/support call center with contractors available by phone Monday through Friday.

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.

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

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

This collection will be conducted in a manner consistent to 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 October 29, 2021 ([86 FR 59990](#)), that solicited public comments. No comments were received from the *Federal Register* notice. In addition to the *Federal Register* notice, NMFS contacted stakeholders 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, and on the data elements to be recorded, disclosed, or reported. No comments were received from the stakeholders or the *Federal Register* notice.

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.

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 \(NOAA4700\)](#).

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

By using pay.gov, NMFS does not handle, store, or process credit/debit card or bank account information.

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.

The IFQ Registered Buyer Ex-vessel Volume and Value Report form, CR Registered Crab Receiver Ex-vessel Volume and Value Report, and the Registered Crab Receiver (RCR) Fee Calculation Form collect the applicant's taxpayer identification number (TIN). A TIN may be an applicant's social security number, which is sensitive personal identifiable information (PII).

NMFS must collect and store an entity's TIN for the purpose of complying with the Debt Collection Act of 1996. All IFQ registered buyers may incur a debt to the government because of fee liabilities charged under the IFQ Program cost recovery fee program authorized under section 304(d)(2)(A) of the Magnuson-Stevens Act and implemented by regulations at 50 CFR 679.45.

All registered crab receivers may incur a debt to the government because of fee liabilities charged under the CR Program cost recovery fee program authorized under section 304(d)(2)(A) of the Magnuson-Stevens Act and implemented by regulations at 50 CFR 680.44. Therefore, NMFS must collect and store every IFQ registered buyer's TIN and every registered crab receiver's TIN.

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

The wage cost estimate of \$27.43 is from the Bureau of Labor Statistics mean hourly wage for Occupation Code 45-0000 (Farming, Fishing, and Forestry Occupations), Sector 11 (Agriculture, Forestry, Fishing and Hunting; [May 2020 Occupational Employment Statistics Research Estimates, Alaska](#)) and has been used for these respondents in other NMFS AKR information collections. The other hourly wage rates are based on other BLS wage rates or comments received and which have been reported for these respondents in NMFS AKR information collections approved under other OMB control numbers. These collections are noted in the table's footnotes. The wage rate estimates for these respondents are updated and revised when public comment supports doing so. Differences in the estimated time per response, the total annual burden hours, and total labor cost may occur due to rounding.

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)
Observer Coverage Fee Payment	Registered buyers, owners of shoreside or stationary floating processors, and vessel owners	102	1	102	1 min.	2 hrs	27.43	\$55
Cost Recovery Fee Payments								
IFQ Program	IFQ permit holders, RQE representative, CDQ group representatives	1,579	1	1,579	1 min.	26 hrs	40.20 ¹	1,045
CR Program	Registered crab receivers	18	1	18	1 min.	18 min	27.43	8
Rockfish Program	Rockfish cooperative quota permit holders	7	1	7	1 min.	7 min	34 ²	4
CDQ Program	CDQ group representatives	6	1	6	1 min.	6 min	52.97 ³	5
AFA Program	AFA inshore cooperative representatives	8	1	8	1 min.	8 min	\$75 ⁴	10
Aleutian Islands Pollock	Aleut Corporation authorized representative	1	1	1	1 min.	1 min	37 ⁵	1
Amendment 80 Program	Amendment 80	1	1	1	1 min.	1 min	37 ⁶	1

	<i>cooperative representative</i>							
Cost Recovery Fee Payments Total	—	1,620	—	1,620	—	27 hrs	—	\$1,074
IFQ Permit Holder Fee Calculation Form	IFQ permit holders	66	1	66	30 min.	33 hrs	27.43	\$905
Registered Crab Receiver Fee Calculation Form	Registered crab receivers	7	1	7	30 min.	4 hrs	27.43	\$110
Volume and Value Reports								
<i>IFQ Registered Buyer</i>	<i>Registered Buyers</i>	69	1	69 (eFISH-64; non-elec. 5)	eFISH - 1 min.; non-elec. - 2 hrs	11 hrs (eFISH -1 hr; non-elec. - 10 hrs)	27.43	302
<i>CR RCR</i>	<i>Registered crab receivers</i>	29	1	29	1 min.	29 min.	27.43	13
<i>Rockfish</i>	<i>Rockfish processors</i>	7	1	7	1 min.	7 min.	27.43	3
<i>Pacific Cod</i>	<i>Shoreside processors or motherships</i>	6	1	6	1 min.	6 min.	27.43	3
<i>First Wholesale</i>	<i>Vessel owners</i>	2	1	2	1 min.	2 min.	27.43	1
Volume and Value Reports Total	—	113	—	113	—	12 hrs	—	\$322
Appeals	Permit holders; vessel or processor owners; registered buyers; registered crab receivers; representatives of CDQ groups, cooperatives, or the Aleut Corporation	1	1	1	4 hrs	4 hrs	27.43	\$110
Totals				1,909		82		\$2,576

¹ The wage rate used is an average of \$27.43 used in OMB control no. 0648-0272, Individual Fishing Quotas for Pacific Halibut and Sablefish in the Alaska Fisheries, and the wage rate used for CDQ groups representatives (see note #3 below). $\$40.20 = (\$27.43 + 52.97)/2$

² The wage rate is based on the wage rate used for rockfish cooperative representatives in the 2020 renewal and revision of OMB control no. 0648-0545, Central Gulf of Alaska Rockfish Program: Permits and Reports.

- ³ The wage rate for CDQ group representatives is based on U.S. Bureau of Labor Statistics mean hourly wage estimate for Occupation Code 11-1021 (General and Operations Managers; [May 2020 Occupational Employment Statistics Research Estimates, Alaska](#)). This wage rate has been updated from that used for CDQ representatives in the 2020 renewal of OMB control no. 0648-0269, Western Alaska Community Development Quota (CDQ) Program.
- ⁴ The wage rate is based on the wage rate used for AFA cooperative representatives in the 2021 renewal of OMB control no. 0648-0401, Alaska American Fisheries Act (AFA) Reports.
- ⁵ The wage rate is based on the wage rate used for the Aleut Corporation representative in the 2021 renewal of OMB control no. 0648-0513, Aleutian Islands Pollock Fishery Requirements.
- ⁶ The wage rate is based on the wage rate used for the Amendment 80 cooperative representative in the 2020 renewal and revision of OMB control no. 0648-0678, North Pacific Fishery Management Council Cooperative Annual Reports.

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).

Most of these information collections are submitted online, and the costs for those are estimated to be \$0. 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)
Observer Coverage Fee Payment	102	1	102	0	0
Cost Recovery Fee Payments					
<i>IFQ Program</i>	1,579	1	1,579	0	0
<i>CR Program</i>	18	1	18	0	0
<i>Rockfish Program</i>	7	1	7	0	0
<i>CDQ Program</i>	6	1	6	0	0
<i>AFA Program</i>	8	1	8	0	0
<i>Aleutian Islands Pollock</i>	1	1	1	0	0
<i>Amendment 80 Program</i>	1	1	1	0	0
Cost Recovery Fee Total	1,620	—	1,620	—	0
IFQ Permit Holder Fee Calculation Form	66	1	66	Operating costs = \$5	\$330
Registered Crab Receiver Fee Calculation Form	7	1	7	Operating costs = \$5	\$35
Volume and Value Reports					
<i>IFQ Registered Buyer</i>	69	1	69 <i>(eFISH-64; non-elec. 5)</i>	Operating costs = \$5	25 <i>(5 non-elec x \$5 = \$25)</i>
<i>CR RCR</i>	29	1	29	0	0
<i>Rockfish</i>	7	1	7	0	0
<i>Pacific Cod</i>	6	1	6	0	0
<i>First Wholesale</i>	2	1	2	0	0
Volume and Value Reports Total	113	—	113	—	\$25
Appeals	1	1	1	\$505 (Operating costs - \$5 Attorney - \$500 ¹)	\$505
TOTALS	1,722²		1,909		\$895

¹ 4 hours of attorney time at \$125 per hour.

² Total respondents includes unique respondents only. Some respondents submit more than one instrument in this collection; therefore, the number of unique respondents is used to show the estimated annual number of separate participants who are expected to submit information during the 3-year renewal period for this information collection.

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.

Cost recovery fees do not increase agency budgets or expenditures. Under the Magnuson-Stevens Act, NMFS is authorized to collect direct program costs from the participants in cost recovery programs. Therefore, information collection for the cost recovery programs does not impose a cost on the Federal Government. The observer fee is not part of a cost recovery program, and those costs are shown in the table below. The fully loaded salary cost includes 52 percent of the salary to account for benefits and other overhead costs.

Total Annualized Cost to the Federal Government for Observer Fees

Cost Descriptions	Grade/Step	Loaded Salary/ Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	GS 11-12	\$169,545	10%		16,955
Other Federal Positions	—	—	—		—
Contractor Cost		—	—	—	—
Travel					—
Other Costs: Mailing costs	—	—	—	—	50
TOTAL				—	\$17,005

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

The respondents and responses were adjusted to reflect the most current data available. Any changes to these numbers have affected the total burden hours and costs of those collection instruments. Adjustments to the cost recovery fee payments and fee forms also reflect that the fee forms are no longer used to submit fees and have been renamed, revised, and are now reported separately from cost recovery fee payments to reflect their current use. Any additional reasons for adjustments are noted in the tables.

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	
Observer Coverage Fee Payment	102	107	102	107	2	2	—
Cost Recovery Fee Payments	1,620	1,940	1,620	1,940	26	85	The previous totals include the two fee forms which have been separated from

							cost recovery fee payments.
IFQ Permit Holder Fee Calculation Form	66	-	66	-	33	-	This form has been renamed, revised, and is now reported individually in the tables to reflect its current use. Previously it was included with totals for cost recovery fee payments.
Registered Crab Receiver Fee Calculation Form	7	-	7	-	4	-	This form has been renamed, revised, and is now reported individually in the tables to reflect its current use. Previously it was included with totals for cost recovery fee payments.
Volume and Value Reports	113	118	113	123	12	6	-
Appeals	1	1	1	1	4	4	-
Total for Collection	1,722*	2,047*	1,909	2,171	82	97	
Difference	- 325		- 262		- 15		

*Unique respondents

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Observer Coverage Fee Payment	55	74	0	0	Labor costs: Is now based on BLS hourly wage rate
Cost Recovery Fee Payments	1,074	3,145	0	11	Labor costs: The wage rates were adjusted to match rates used in other NMFS AKR OMB control numbers for the same respondents. The previous labor cost total included the fee forms, which have been separated from cost recovery fee payments. Misc. costs: The previous cost total included the two fee forms, which have been separated from cost recovery fee payments.
IFQ Permit Holder Fee Calculation Form	905	-	330	-	Labor costs: Is now based on BLS hourly wage rate. Previously was included in cost recovery fee payment total. Misc. Costs: Adjusted amount to account for typical inclusive general office services packages. Previously was included in cost recovery fee payment total.
Registered Crab Receiver Fee Calculation Form	110	-	35	-	Labor costs: Is now based on BLS hourly wage rate. Previously was included in cost recovery fee payment total. Misc. Costs: Adjusted amount to account for typical inclusive general office services packages. Previously was included in cost recovery fee payment total.
Volume and Value Reports	322	222	25	3	Labor costs: Is now based on BLS hourly wage rate. Misc. costs: Revised amount to account for typical inclusive general office services packages.

Appeals	110	148	505	502	Labor costs: Is now based on BLS hourly wage rate. Misc. Costs: Adjusted amount to account for typical inclusive general office services packages.
Total for Collection	\$2,576	\$3,589	\$895	\$516	
Difference	-\$1,013		\$379		

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.

Final administrative appeal decisions with redactions are posted on the [NMFS National Appeals Office website](#). Personally identifiable information and confidential business information submitted in an administrative appeal are not released to the public.

No other information collected will be published.

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

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

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\(b\)\(3\)](#).