

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Alaska American Fisheries Act (AFA) Permits**  
**OMB Control No. 0648-0393**

## **SUPPORTING STATEMENT PART A**

### **Abstract**

The National Marine Fisheries Service (NMFS), Alaska Regional Office, requests extension of this currently approved information collection.

This information collection contains applications for permits and transfers necessary for NMFS to manage the Bering Sea and Aleutian Islands (BSAI) pollock fishery under the American Fisheries Act. The AFA established sector allocations in the BSAI pollock fishery, determined eligible vessels and processors, allowed the formation of cooperatives, set limits on the participation of AFA vessels in other fisheries, and imposed special catch weighing and monitoring requirements on AFA vessels.

Minor editorial changes have been made to the forms to increase clarity and to increase consistency with the region's other forms. Two applications—the Application for Approval as an Entity to Receive Transferable Chinook Salmon PSC Allocation and the Application for Transfer of Bering Sea Chinook Salmon PSC Allocations—are now only submitted electronically. This does not change the burden for these applications.

### **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.**

National Marine Fisheries Service, Alaska Region (NMFS) manages the U.S. groundfish fisheries in the Exclusive Economic Zone (EEZ) of the BSAI Management Area under the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI FMP) under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#) (16 U.S.C. 1801 *et seq.*; Magnuson-Stevens Act) and other applicable laws. The North Pacific Fishery Management Council prepared, and NMFS approved, the BSAI FMP. Regulations implementing the FMP appear at [50 CFR part 679](#).

This information collection contains applications for permits and transfers necessary for NMFS to manage the BSAI pollock fishery under the American Fisheries Act (AFA).

The AFA was signed into law in October 1998. The purpose of the AFA was to tighten U.S. ownership standards that had been exploited under the Anti-reflagging Act, and to provide the BSAI pollock fleet the opportunity to conduct their fishery in a more rational manner while protecting non-AFA participants in the other fisheries. The AFA established sector allocations in the BSAI pollock fishery,

determined eligible vessels and processors, allowed the formation of cooperatives, set limits on the participation of AFA vessels in other fisheries, and imposed special catch weighing and monitoring requirements on AFA vessels.

The original AFA is available on the NMFS Alaska Region Website.<sup>1</sup> The original AFA had two subtitles. Subtitle I generally pertained to the issuance of Federal fishery endorsements. Subtitle II pertained to the management of the BSAI pollock fishery. Subtitle II made significant changes in the management of the BSAI pollock fishery. The United States Coast Guard (USCG), in conjunction with the Maritime Administration, implemented Subtitle I, and NMFS implemented Subtitle II. NMFS established a comprehensive management program to implement the AFA through several amendments to the fishery management plans.

Any vessel used to engage in directed fishing for a non-western Alaska Community Development Quota (non-CDQ) allocation of pollock in the BSAI and any shoreside processor, stationary floating processor, or mothership that receives pollock harvested in a non-CDQ directed pollock fishery in the BSAI must have a valid AFA permit on board the vessel or at the facility location at all times while non-CDQ pollock is being harvested or processed.

Permanent AFA permits (AFA catcher vessel, AFA catcher/processor, AFA mothership, and AFA inshore processor) for the BSAI pollock fishery had a one-time application deadline of December 1, 2000, and were issued with an indefinite expiration date. Therefore, except for participants that require annual or replacement permits, all AFA entities required to have a permit are already permitted.

Other information to manage the BSAI pollock fishery under the AFA is collected under the following OMB control numbers:

- 0648-0401: Alaska American Fisheries Act: Reports
- 0648-0633: Alaska Chinook Salmon Economic Data Report
- 0648-0678: Alaska Council Cooperative Annual Reports
- 0648-0711: Alaska Cost Recovery and Fee Programs

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<sup>1</sup> <https://www.fisheries.noaa.gov/alaska/rules-and-regulations/regulations-acts-treaties-and-agreements-federal-fisheries-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.**

The following table lists the requirements in this collection, and for each provides the regulations and summarizes who the information is collected from, the submission method, whether a form is available, and the frequency of the submission.

Requirement	Regulation 50 CFR	Who the information is collected from	How is the information submitted? <sup>1</sup>	Form? <sup>2</sup>	How often is the information submitted?
American Fisheries Act Permit: Rebuilt, Replaced, or Removed Vessel Application	<a href="#">§ 679.4(l)(7)</a>	Vessel owner	Mail, fax, delivery	Y	As needed: When a vessel is rebuilt, replaced, or removed from the fishery.
Application for American Fisheries Act Inshore Catcher Vessel Cooperative Permit	<a href="#">§ 679.4(l)(6)</a>	AFA cooperative representatives	Mail, fax, delivery	Y	Annually to renew permit and as needed to add or remove cooperative member vessels from permit
Inshore Vessel Contract Fishing Notification American Fisheries Act	<a href="#">§ 679.62(c)</a>	AFA cooperative representatives	Mail, fax, delivery	Y	As needed: When contracting with a non-member vessel
Application for Approval as an Entity to Receive Transferable Chinook Salmon PSC Allocation	<a href="#">§ 679.21(f)(8)</a>	AFA mothership sector representative; AFA catcher/processor representative	eFISH	N	Once, then as needed to amend or revoke.
Application for Transfer of Bering Sea Chinook Salmon PSC Allocations	<a href="#">§ 679.21(f)(9)</a>	AFA sector representatives, AFA cooperative representatives, CDQ group representatives	eFISH	N	As needed: When transferring all or a portion of the entity's Chinook salmon PSC allocation.

<sup>1</sup> Mail: NMFS Alaska Region, Restricted Access Management, P.O. Box 21668, Juneau, AK 99802-1668  
 Delivery: 709 West 9<sup>th</sup> Street, Room 713, Juneau, AK, 99801  
 Fax: (907) 586-7354  
 eFISH: <https://alaskafisheries.noaa.gov/webapps/efish/login>

<sup>2</sup> Forms are available as fillable pdfs on the NMFS Alaska Region website at <https://www.fisheries.noaa.gov/permit/american-fisheries-act-pollock-applications-and-forms>

The following describes the purpose for which the information is collected and some additional information about the collections.

**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 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. See Question 16 of this Supporting Statement for information from this collection that is posted on the NMFS Alaska Region website and the NMFS National Appeals Office website.

### **Changes to this Information Collection**

No changes were made to this information collection since the previous renewal was approved by OMB in 2020.

As part of this extension request, minor editorial changes have been made to the forms to increase clarity and improve consistency with other applications from the NMFS Alaska Region Restricted Access Management Division.

Also as part of this extension request, two applications—the Application for Approval as an Entity to Receive Transferable Chinook Salmon PSC Allocation and the Application for Transfer of Bering Sea Chinook Salmon PSC Allocations—are now only submitted through eFISH, the NMFS-approved electronic reporting system. Respondents have previously had non-electronic options of submitting these forms, but eFISH has been the only submission method used.

### **American Fisheries Act (AFA) Permit: Rebuilt, Replacement, or Removed Vessel Application**

Vessel owners submit the American Fisheries Act (AFA) Permit: Rebuilt, Replacement, or Removed Vessel Application to NMFS for the following purposes:

- Notify NMFS that an AFA vessel has been rebuilt;
- Request an AFA permit for a replacement catcher vessel, catcher/processor, or mothership; or
- Request removal of an AFA catcher vessel that is a member of an inshore cooperative and assignment of the catch history of that vessel to other vessel or vessels in the same inshore cooperative.

The type of information collected includes identification and ownership information for the AFA vessel being rebuilt, replaced, or removed from the AFA fishery; identification and ownership information of the replacement vessel; and assignment of pollock catch history of a removed vessel.

In order to improve vessel safety and operational efficiency (including fuel efficiency), the owner of an AFA vessel may rebuild or replace that vessel with a vessel documented with a fishery endorsement under section 12113 of Title 46 of the U.S. Code.

Applications to replace lost or destroyed AFA vessels may be submitted to NMFS Restricted Management Program (RAM) at any time. In the event of the actual total loss or constructive total loss of an AFA catcher vessel, AFA mothership, or AFA catcher/processor, the owner of such vessel may replace the vessel with a replacement vessel. A constructive total loss is a loss of such significance that the property is beyond economical repair (cost of restoring it exceeds its insured value). This is a one-time only submittal.

The owner of an AFA catcher vessel that is a member of an inshore cooperative may remove that vessel from the Bering Sea directed pollock fishery. If the owner applies to do that, the owner must direct NMFS to assign the pollock catch history of the vessel being removed to other vessel or vessels in the cooperative of the removed vessel. The catcher vessel(s) receiving the pollock catch history of the removed vessel must remain in the fishery cooperative for at least one year after the date on which NMFS approves the application for removal of the catcher vessel.

The following deadlines apply for the application:

- Rebuild an AFA vessel: The owner shall notify NMFS and provide USCG documentation for the rebuilt vessel within 30 days of the issuance of the documentation.
- Total or constructive loss of an AFA vessel: The owner of the AFA vessel shall notify NMFS in writing within 120 days of the date of the vessel loss.
- Lost vessel: The AFA permit on the lost vessel shall remain valid from the date of the vessel loss until three years from December 31 of the year of the vessel loss, unless the AFA permit on the lost vessel is revoked before that date because the lost vessel was replaced or removed.

An AFA rebuilt or replacement vessel shall be eligible to participate in fisheries in the EEZ off Alaska and subject to the same restrictions and limitations as the original vessel. However, if the replacement vessel does not already hold a USCG fishery endorsement, that endorsement must be obtained within 36 months of the end of the last year that the vessel fished for or processed pollock in the BSAI.

An AFA vessel that is rebuilt or replaced after October 15, 2010, is exempt from the maximum length overall (MLOA) on a License Limitation Program (LLP) groundfish license with a Bering Sea and/or Aleutian Islands area endorsement when the vessel is fishing pursuant to that license, whether the vessel before rebuilding or replacement was exempt.

### **Application for AFA Inshore Catcher Vessel Cooperative Permit**

The AFA authorizes the formation of fishery cooperatives in all sectors of the BSAI pollock fishery, grants anti-trust exemptions to cooperatives in the mothership sector, and imposes operational limits on fishery cooperatives in the BSAI pollock fishery. NMFS relies on fishery cooperatives for much of the day-to-day management of fishing activity at the cooperative and individual vessel level.

Fishery cooperatives are formed by groups of vessel owners to provide an alternative to the open access race for fish. Under a fishery cooperative, the members agree to divide up the available quota among the membership in a manner that eliminates a wasteful race for fish and allows participants to maximize productivity. Seven inshore cooperatives currently exist: Akutan Catcher Vessel Association, Arctic Enterprise Association, Northern Victor Fleet Cooperative, Peter Pan Fleet Cooperative, Unalaska Fleet Cooperative, UniSea Fleet Cooperative, and Westward Fleet Cooperative.

NMFS uses the information obtained from the Application for AFA Inshore Catcher Vessel Cooperative Permit to identify the universe of participating vessels and processors in the BSAI pollock fishery prior to start of each fishing year.

Each AFA inshore catcher vessel cooperative representative submits this application annually to obtain an AFA Inshore Catcher Vessel Cooperative Permit and identify the vessels and processors that will be participating in the BSAI pollock fishery prior to the start of each fishing year.

A cooperative representative also uses this application to add or subtract a catcher vessel to or from an inshore cooperative fishing permit prior to the application deadline. Upon approval, NMFS will issue an amended cooperative fishing permit.

The type of information collected includes contact information for the cooperative; identification information for the designated AFA inshore processor for the cooperative; identification information for

the cooperative member vessels; and a copy of the cooperative contract, the certification, and the business review letter.

NMFS must receive the application by December 1 of the year prior to the year in which the cooperative permit will be in effect.

NMFS will issue an AFA inshore cooperative permit upon receipt of a complete application to a cooperative formed pursuant to 15 U.S.C. 521.

### **Inshore Vessel Contract Fishing Notification American Fisheries Act**

An AFA inshore cooperative that intends to contract with a vessel that is a member of another AFA inshore cooperative must submit the AFA Inshore Vessel Contract Fishing Notification form to NMFS, Alaska Region for each contracted vessel. A separate form must be submitted for each cooperative for which the vessel harvests.

The type of information collected includes the AFA permit holder contact information, the chartering cooperative contact information, and the vessel owner information. This includes a description of the complete harvest schedule, which must show how all catch and any overages by the contracted vessel will be allocated between the contracting cooperative (or cooperatives) and the contract vessel's home cooperative. If multiple cooperatives are contracting with the same non-member vessel, each harvest schedule submitted must clearly specify how all catch and any overages will be allocated among the various cooperatives with which the vessel is contracted as of the date of submission.

The information derived from this notification will help cooperatives understand how their catch is accounted, and will alert NMFS inseason management that some vessels might be reporting with an alternative cooperative identification.

NMFS will notify the parties to the vessel contract when the agency receives the contract fishing notification. NMFS will not make any determinations as to the legality of any contract between or among the parties or its compliance with AFA requirements. There are no permits issued for this AFA contract.

### **Application for Approval as an Entity to Receive Transferable Chinook Salmon PSC Allocation**

Each year, NMFS will allocate to AFA sectors a portion of the Chinook salmon PSC limit per 50 CFR 679.21(f).

The Application for Approval as an Entity to Receive Transferable Chinook Salmon PSC Allocation is submitted by an entity representing the catcher/processor sector or the mothership sector to request approval to receive transferable Chinook salmon PSC allocations on behalf of members of the sector. Once approved, an entity is not required to reapply for or renew its status. This application is also used by the entities to submit updated contact and other information related to the entity and its members.

The type of information collected includes the entity's contact information and vessel identification information.

A complete application must include an authorization contract. The authorization contract authorizes the entity to act on behalf of the vessel owner for purposes of receiving and transferring Chinook salmon PSC allocations and authorizes the entity to be responsible for receiving legal papers on behalf of the

vessel owners in the sector. This authorization to represent the sector members is needed under both the 60,000 and the 47,591 Chinook salmon PSC limit.

Once submitted, the authorization contract attached to the application is valid until amended or revoked by the parties to the contract.

The initial or amended application and contract must be received by NMFS no later than 1700 hours A.l.t. on October 1 of the year prior to the fishing year for which the Chinook salmon PSC allocations are effective.

Additions or deletions to the vessels represented by the entity may be done once per year for subsequent years by submitting an amended contract and revised vessel information by December 1, unless additions or deletions are as a result of a replacement vessel.

An amendment to the contract related to a replacement vessel may be made at any time upon submission of an amended application and a copy of the AFA permit issued under § 679.4 for the replacement vessel.

### **Application for Transfer of Bering Sea Chinook Salmon PSC Allocations**

The Application for Transfer of Bering Sea Chinook Salmon PSC Allocations is submitted by an authorized representative of the catcher/processor sector, the mothership sector, an inshore cooperative, or a CDQ group to transfer Chinook salmon PSC allocations to another entity's account.

The type of information collected includes identification of the transferor and transferee and information on the number of chinook salmon PSC to be transferred.

An entity receiving a transferable Chinook salmon PSC allocation from NMFS would be authorized to

- to transfer all or a portion of the entity's salmon PSC allocation to another entity; or
- to receive a transfer from another entity (authorized to sign transfer request forms), and be responsible for any penalties assessed for exceeding the entity's salmon PSC allocation.

NMFS will review the transferor's catch account to ensure sufficient Chinook salmon is available to transfer. If enough Chinook salmon are in the account, NMFS will make that transfer effective immediately. Transfers to eligible entities may occur at any time in a season but transfers cannot be made between the B and A seasons.

Upon receipt of an approved transfer request, NMFS will issue Bering Sea Chinook salmon PSC allocations to the catcher/processor sector entity, the mothership sector entity, inshore cooperatives, and CDQ groups. NMFS will issue separate PSC allocations for the A season and the B season. PSC remaining from the A season could be used in the B season ("rollover").

Transferees may receive PSC transfers to cover overages (post-delivery transfers). NMFS will evaluate overages of Chinook salmon PSC on June 25 for the A season and on December 1 for the B season.

This would provide entities 15 days after the end of the A season and 30 days after the end of the B season to obtain post delivery transfers to reduce or eliminate any overages. NMFS would allow 30 days after the end of the B season for post delivery transfers because pollock fishing will cease for the

remainder of the year on November 1. If, after NMFS allows for post-delivery transfers to cover an overage, an entity exceeded its Chinook salmon PSC allocation, the entity would be subject to an enforcement action for violating NMFS regulations.

**Potential Number of Transferable Chinook Salmon PSC Allocations**

<b>Entities That Could Receive Transferable Allocations</b>					
	<b>Catcher/ Processor Sector</b>	<b>Mothership Sector</b>	<b>Inshore Co-Ops</b>	<b>CDQ</b>	<b>Total Transferable</b>
A Season	1	1	7	6	15
B Season	1	1	7	6	15
Annual total	2	2	14	12	30

Including the catcher/processor and mothership sectors, there could be a maximum of 15 different Chinook salmon PSC accounts each season. Separate allocations would be made for the A season and the B season for a total of up to 30 transferable PSC allocation accounts each year. This number of transferable PSC accounts could exist under either the 60,000 Chinook salmon PSC limit or the 47,591 Chinook salmon PSC limit. However, to date the Chinook salmon PSC limits have not been reached; therefore, no transfer applications have been submitted.

**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 Application for Transfer of Chinook PSC Allocation and the Application for Approval as an Entity Eligibility to Receive Transferable Chinook Salmon PSC Allocation are submitted online through eFISH, the NMFS-approved electronic reporting system. Persons have access to eFISH through a User ID and password issued by NMFS. Instructions for using eFISH are posted on the NMFS Alaska Region website at <https://alaskafisheries.noaa.gov/node/30749>.

The other applications are available as fillable pdfs on the NMFS Alaska Region website at <https://www.fisheries.noaa.gov/permit/american-fisheries-act-pollock-applications-and-forms>. They are fillable onscreen and may be printed and submitted by mail, fax, or delivery.

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 integrated system is in development. As this system is developed, we will be transitioning to the new system which will allow the applications to be submitted and processed electronically.

**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. In general, Alaska Region information collections are prepared and reviewed by staff familiar with all of the information collection requirements for the region. Staff work together to develop information collection requirements for new programs. In addition, NMFS staff work closely with the staff of the Alaska Department of Fish and

Game and the International Pacific Halibut Commission to reduce duplication in information collection requirements to the extent possible given overlapping jurisdictions and complex fisheries. Senior staff at the Alaska Region, NMFS headquarters, and the Department of Commerce General Counsel review all new and revised information collection requirements that are associated with rulemakings. This process minimizes the potential for duplication of information collection requirements for participants in the Federal fisheries off Alaska.

**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 collection on all respondents by collecting only information necessary to manage the AFA Program. The CDQ groups are considered small entities under the Regulatory Flexibility Act because they are non-profit corporations. None of the entities that participate in the AFA pollock fisheries are considered small entities due to cooperative affiliation. The cooperatives submitting information under this collection are not small businesses or small entities as defined under the Regulatory Flexibility Act.

The burden on participants is minimized by providing for electronic submission of the applications when possible. Two applications are able to be submitted online through eFISH, which is the preferred and most cost effective method to submit information to NMFS. eFISH is NMFS Alaska Region's online Fisheries Information System. In addition to providing a method to submit applications, eFISH provides online access to participants' NMFS permit accounts. eFISH allows participants to check account balances, vessel balances, and landing ledger reports; quota share holdings reports, processor quota share holding reports from various fisheries; report landings; conduct quota transfers; renew certain fishery permits; report a guided angler fish (GAF) landing; and check a GAF permit balance.

A toll-free phone number is available for participants to contact NMFS staff for help or information with the applications.

**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.**

If this collection were not conducted or conducted less frequently, the program would be jeopardized and NMFS could not fulfill the intent of the AFA. With regard to commercial fishing vessels operating in the directed BSAI pollock fishery, the AFA established the legal basis for achieving the objective of reducing excessive fishing capacity and management regulatory conditions that could contribute to the creation of an environment capable of fostering operational inefficiencies in this fishery (Division C, Title II of P.L. 105-277) including limiting entry into the fishery, cooperative formation, allocations of pollock, and development of sideboard measures.

Additionally, instruments in this collection are associated with minimizing Chinook salmon PSC to the extent practicable while achieving optimum yield from the pollock fishery. This is necessary to ensure long-term conservation and abundance of salmon, maintain a healthy marine ecosystem, provide maximum benefit to fishermen and communities that depend on salmon and pollock, and comply with the Magnuson-Stevens Act. If the information were not collected, NMFS would be unable to achieve these goals.

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

This collection does not require respondents to report information to the agency more often than quarterly.

This collection does not require respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.

This collection does not require respondents to submit more than an original and two copies of any document.

This collection does not require respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years.

This collection is not in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study.

This collection does not require the use of a statistical data classification that has not been reviewed and approved by OMB.

This collection does not include a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use.

This collection does not require respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

**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 27, 2023 ([88 FR 41599](#)), that solicited public comments. The comment period ended August 28, 2023. 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* notices.

**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 collection of information does not include questions of a sensitive nature.

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

The hourly wage rates are based on U. S. Bureau of Labor Statistics (BLS) wage rates and rates reported by industry. The rates have been updated to use the most current BLS rates available (May 2022). Burden and wage rate estimates are also updated when public comment supports doing so.

Information Collection	Type of Respondent (Occupational Title)	# of Respondents (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)
American Fisheries Act Permit: Rebuilt, Replaced, or Removed Vessel Application	Vessel owner	12	1	12	1	12	\$22.52 <sup>1</sup>	\$270
Application for American Fisheries Act Inshore Catcher Vessel Cooperative Permit	AFA cooperative representatives	21	1	21	2	42	\$75 <sup>2</sup>	\$3,150
Inshore Vessel Contract Fishing Notification American Fisheries Act	AFA cooperative representatives	44	1	44	4	176	\$75 <sup>2</sup>	\$13,200
Application for Approval as an Entity to Receive Transferable Chinook Salmon PSC Allocation	AFA mothership sector representative; AFA catcher/processor representative	2	1	2	8	16	\$75 <sup>2</sup>	\$1,200
Application for Transfer of Bering Sea Chinook Salmon PSC Allocations	AFA sector representatives, AFA cooperative representatives, CDQ group representatives	0 <sup>4</sup>	1	0	1	0	\$64.64 <sup>3</sup>	\$0
<b>Totals</b>				<b>79</b>		<b>246</b>		<b>\$17,820</b>

<sup>1</sup>The rate \$22.52 is the BLS mean hourly wage for Occupation Code 45-0000 (Farming, Fishing, and Forestry Occupations; [https://www.bls.gov/oes/current/oes\\_ak.htm](https://www.bls.gov/oes/current/oes_ak.htm)) for Alaska.

<sup>2</sup> Industry reported.

<sup>3</sup> The rate \$64.64 is the average of \$75 (industry reported AFA representative) and \$54.28—the rate used for CDQ groups in other NMFS Alaska Region information collections (mean hourly wage for Occupation Code 11-9121 Alaska, Natural Sciences Managers; [https://www.bls.gov/oes/current/oes\\_ak.htm](https://www.bls.gov/oes/current/oes_ak.htm)).  $\$75 + \$54.28 = \$129.28 / 2 = \$64.64$

<sup>4</sup> To date the Chinook salmon PSC limits have not been reached; therefore, no transfer applications have been submitted and none are expected during this 3-year renewal period.

**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.

Some fishery participants submit more than one instrument in this information collection. Therefore, the number of unique respondents is used to show the estimated number of individual participants who are expected to annually submit information during the renewal period for this information collection.

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)
American Fisheries Act Permit: Rebuilt, Replaced, or Removed Vessel Application	12	1	12	Operating costs - \$5	\$60
Application for American Fisheries Act Inshore Catcher Vessel Cooperative Permit	21	1	21	Operating costs - \$5	\$105
Inshore Vessel Contract Fishing Notification American Fisheries Act	44	1	44	Operating costs - \$5	\$220
Application for Approval as an Entity to Receive Transferable Chinook Salmon PSC Allocation	2	1	2	Operating costs - \$5	\$10
Application for Transfer of Bering Sea Chinook Salmon PSC Allocations	0	1	0	Operating costs - \$5	\$0
<b>TOTALS</b>	<b>27 unique respondents</b>		<b>79</b>		<b>\$395</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 manages the AFA Program as a limited access privilege program. On January 5, 2016, NMFS published a final rule to implement cost recovery for the AFA Program (81 FR 150, January 5, 2016). The AFA allocates the Bering Sea directed pollock fishery total allowable catch to three sectors: inshore, catcher/processor, and mothership. Each sector has established cooperatives to harvest their pollock allocation. Only the inshore cooperative is responsible for paying a fee for that sector’s Bering Sea pollock landed under the AFA. Therefore, information collection requirements for the inshore sector of the AFA Program do not impose a cost on the Federal Government.

Direct program costs are the costs NMFS incurs to manage, collect data from, and enforce the AFA Program. The direct program costs for the AFA Program in fiscal year 2022 were \$528,134. The following are examples of the specific tasks that were included under the 2022 AFA direct program costs:

- Observer sampling station inspections, data quality assurance
- Chinook Salmon Bycatch Economic Data Reports
- Patrols, outreach and education, investigations, and compliance assistance
- Publication of BS pollock allocations and sideboards in other fisheries

- Management of AFA sideboards
- Review of weekly inshore catch reports
- Review of annual AFA cooperative reports
- Maintenance of eLandings and the catch accounting system
- Programming and web design for online applications
- Responding to questions about AFA permits
- Fee determination and collection process
- At-sea scale and video equipment inspections

The table below estimates the annual cost to the Federal Government of this information collection for the mothership and catcher/processor sectors. Federal government costs are based on one permit assistant, one fishery management specialist, and one program administrator. The fully loaded salary cost includes 52 percent of the salary to account for benefits and other overhead costs. Notes below the table provide the calculations for each salary. The grade and step are from the Department of Commerce Alternative Personnel System (CAPS) pay tables (<https://www.commerce.gov/hr/practitioners/caps/pay-administration>). The general schedule grade equivalent for CAPS is included in parentheses.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
<b>Federal Oversight</b>					
Program Administrator	ZA-4 step 2 (GS 13-14)	\$239,183	2%		\$4,784
Other Federal Positions					
Fishery Management Specialist	ZP-3 step 3 (GS 11-12)	\$184,495	1%		\$1,845
Permit Assistant	ZS-4 step 4 (GS 7-8)	\$118,645	5%		\$5,932
<b>Contractor Cost</b>					0
<b>Travel</b>					0
<b>Other Costs:</b>					0
<b>TOTAL</b>					<b>\$12,561</b>

GS 7-8 2023 salary (capped out ZS-4, step 4 in Juneau, AK) = \$78,056. For loaded salary, add 52% for benefits and other overhead costs ( $\$78,056 * 1.52 = \$118,645$ ).

GS 11-12 2023 salary (capped out ZP-3, step 3 in Juneau, AK) = \$121,378. For loaded salary, add 52% for benefits and other overhead costs ( $\$121,378 * 1.52 = \$184,495$ ).

GS 13-14 2023 salary (capped out ZA-4, step 2 in Juneau AK) = \$157,357. For loaded salary, add 52% for benefits and other overhead costs ( $\$157,357 * 1.52 = \$259,245$ ).

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

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	
American Fisheries Act Permit: Rebuilt, Replaced, or Removed Vessel Application	12	12	12	12	12	12	No change
Application for American Fisheries Act Inshore Catcher Vessel Cooperative Permit	21	21	21	21	42	42	No change
Inshore Vessel Contract Fishing Notification American Fisheries Act	44	44	44	44	176	176	No change
Application for Approval as an Entity to Receive Transferable Chinook Salmon PSC Allocation	2	2	2	2	16	16	No change
Application for Transfer of Bering Sea Chinook Salmon PSC Allocations	0	5	0	5	0	5	Adjustment: No applications are expected during this 3-year renewal period.
<b>Total for Collection</b>	<b>27*</b>	<b>27*</b>	<b>79</b>	<b>84</b>	<b>246</b>	<b>251</b>	
<b>Difference</b>	<b>0</b>		<b>- 5 (Adjustment)</b>		<b>- 5 (Adjustment)</b>		

\* Unique respondents. Some participants in the AFA Program submit more than one instrument in this information collection. Therefore, the number of unique respondents is used to show the estimated number of individual participants who are expected to annually submit information during the renewal period for this information collection. The estimated number of unique respondents consists of 7 inshore cooperatives; 1 catcher/processor sector representative; 1 mothership sector representative; 6 CDQ groups; and 12 potential rebuild, replace, remove vessel owners.

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
American Fisheries Act Permit: Rebuilt, Replaced, or Removed Vessel Application	270	286	60	60	Labor Costs: Updated to use most current BLS wage rate available.
Application for American Fisheries Act Inshore Catcher Vessel Cooperative Permit	3,150	3,150	105	105	No change
Inshore Vessel Contract Fishing Notification American Fisheries Act	13,200	13,200	220	220	No change
Application for Approval as an Entity to Receive Transferable Chinook Salmon PSC Allocation	1,200	1,200	10	10	No change
Application for Transfer of Bering Sea Chinook Salmon PSC Allocations	0	375	0	25	Adjustment: No applications are expected during this 3-year renewal period.
<b>Total for Collection</b>	<b>\$17,820</b>	<b>\$18,211</b>	<b>\$395</b>	<b>\$420</b>	
<b>Difference</b>	<b>- \$391 (Adjustment)</b>		<b>- \$25 (Adjustment)</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.**

Information from this collection may be provided to the North Pacific Fishery Management Council or the public with appropriate application of confidentiality requirements. NMFS posts some information from this collection on the NMFS Alaska Region website at <https://www.fisheries.noaa.gov/alaska/sustainable-fisheries/american-fisheries-act-pollock-fisheries-management-alaska>, including lists by year of AFA catcher/processors, catcher vessels, inshore cooperatives, inshore cooperative member vessels, inshore processors, and motherships.

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