

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Cook Inlet EEZ Commercial Salmon Fishery**  
**OMB Control No. 0648-0818**

**SUPPORTING STATEMENT PART A**

**Abstract**

This is a resubmission, with the final rule, of a request by the National Marine Fisheries Service (NMFS), Alaska Regional Office, for a new collection for the Cook Inlet Exclusive Economic Zone (EEZ) commercial salmon fishery. This request is due to a final rule (RIN 0648-BM42) to implement Amendment 16 to the Fishery Management Plan for the Salmon Fisheries in the EEZ Off Alaska (Salmon FMP).

Amendment 16 and the rule establish Federal fishery management for all salmon fishing that occurs in the Cook Inlet EEZ, which includes commercial drift gillnet and recreational salmon fishery sectors. This action is necessary to comply with rulings from the U.S. Court of Appeals for the Ninth Circuit and the U.S. District Court for the District of Alaska, and to ensure the Salmon FMP is consistent with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

This new collection contains the applications and processes used by harvesters, processors, and other entities receiving deliveries of Cook Inlet EEZ salmon to apply for and manage their permits; provide catch, landings, and processing data; and mark drift gillnet buoys. The data will be used to ensure that the fishery participants adhere to harvesting, processing, and other requirements necessary to manage the Cook Inlet EEZ commercial salmon fishery.

This rule also affects OMB Control Number 0648-0445 (NMFS Alaska Region Vessel Monitoring System Program). NMFS is submitting a separate request to revise 0648-0445.

One change was made from the proposed rule to the final rule. The requirement to record in the logbook any interactions or entanglements with marine mammals was removed because it may be duplicative. This did not change respondents, responses, or the burden. Additionally, in this supporting statement, the name of the logbook was changed to “Catcher Vessel Daily Fishing Logsheets Salmon Gillnet Gear” to match the name used on the logsheet form.

**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.**

NMFS manages U.S. salmon fisheries off Alaska under the Salmon FMP. The Council prepared, and the Secretary of Commerce approved, the Salmon FMP under the authority of the [Magnuson-Stevens Act](#), 16 U.S.C. 1801 *et seq.* Regulations implementing the Salmon FMP are located at [50 CFR part 679](#).

This new information collection is necessary because NMFS has determined that it is necessary and appropriate, under section 304(c)(1)(A) of the Magnuson-Stevens Act, to develop a Secretarial Amendment and regulations in order to comply with rulings from the U.S. Court of Appeals for the Ninth Circuit and the U.S. District Court for the District of Alaska, and to ensure the Salmon FMP is consistent with the Magnuson-Stevens Act.

NMFS proposed Amendment 16 to the Salmon FMP and implementing Federal regulations (RIN 0648-BM42) to comply with the Ninth Circuit Court and Alaska District Court decisions, the Magnuson-Stevens Act, and other applicable law. This action incorporates the Cook Inlet EEZ into the Salmon FMP as the Cook Inlet EEZ Area, thereby bringing the salmon fisheries that occur within it under Federal management by the Council and NMFS.

The Cook Inlet EEZ salmon fishery has two sectors—commercial (drift gillnet) and recreational. The commercial drift gillnet sector harvests over 99.99 percent of salmon in the Cook Inlet EEZ Area. Previously, this fishing occurred in both the State of Alaska (State) and EEZ waters of Cook Inlet under State management without regard to the boundary. Under this action, the Cook Inlet EEZ salmon fishery will be managed by NMFS and the Council separately from, but accounting for harvest in other fisheries.

This action implements new recordkeeping, reporting, and compliance requirements necessary for the management and monitoring of the Cook Inlet EEZ Area salmon fishery.

Vessels commercially fishing for salmon in the Cook Inlet EEZ Area will be required to obtain a Salmon Federal Fisheries Permit (SFFP), complete a Federal fishing logbook, and install and maintain an operational vessel monitoring system (VMS; see OMB Control Number 0648-0445). Buoys at each end of the drift gillnet will be required to be marked with the participants' SFFP number.

Processors receiving deliveries of salmon commercially harvested in the Cook Inlet EEZ Area will be required to obtain a Salmon Federal Processor Permit. Entities receiving deliveries of salmon commercially harvested in the Cook Inlet EEZ Area but not processing the fish will be required to have a Registered Salmon Receiver Permit. Processors and other entities with these permits will be required to report landings through eLandings by noon of the day following completion of the delivery.

All of the permits will be available at no cost from NMFS. While these measures do increase costs to commercial fishery participants, all of these elements are required by NMFS to manage the fishery and prevent overfishing. Specific consideration was given in their development to minimize burden to the extent practicable while also providing required information to Federal fishery managers in a timely manner. All entities directly regulated by this action could also choose to continue participating in only the State waters fisheries to avoid being subject to these Federal requirements.

For recreational salmon fishing, no additional Federal recordkeeping and reporting requirements will be established. The existing recordkeeping and reporting requirements implemented by the State are expected to be sufficient to inform management and satisfy Magnuson-Stevens Act requirements given the small scale and very limited harvest by the recreational sector. These include creel sampling, the Alaska Department of Fish and Game's Statewide Harvest Survey, harvest records for annual limits, and the Saltwater Guide Logbooks.

This new information collection contains the applications and processes for participants in the Cook Inlet EEZ commercial salmon fishery to apply for and manage their permits; provide catch, landings,

and processing data; and mark drift gillnet buoys. The data will be used to ensure that the fishery participants adhere to harvesting limits, processing, and other requirements necessary to manage the Cook Inlet EEZ commercial salmon fishery.

This rule also affects OMB Control Number 0648-0445 (NMFS Alaska Region Vessel Monitoring System Program). Concurrent with this request for a new OMB control number, NMFS is submitting a separate request for the revision to 0648-0445.

### **Change from the Proposed Rule to Final Rule**

The following change was made from the proposed rule to the final rule. This change did not affect the number of respondents, responses, or burden for this collection.

- The proposed rule included a requirement that any interactions or entanglements with marine mammals would be required to be recorded in the logbook. This requirement may be duplicative with or be confused with existing reporting requirements under the Marine Mammal Authorization Program and has been removed from this action. Participants are, however, still required to report marine mammal interactions under the Marine Mammal Authorization Program.
- In this supporting statement, the name of the collection instrument “Catcher Vessel Daily Fishing Logbook Salmon Gillnet Gear” was changed to “Catcher Vessel Daily Fishing Logsheet Salmon Gillnet Gear” to match the name used on the logsheet form.

## **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 table lists each requirement, the associated regulations, and summarizes who submits the information; how it is submitted and how often; whether a form is available; the purpose for the collection; and who the information is shared with. The forms will be posted on the NMFS Alaska Region website at <http://alaskafisheries.noaa.gov>. More information on each requirement is provided in the subsections below.

Requirement	Regulations 50 CFR	From whom is the information collected?	How is the information collected?	Frequency	Form ?	Needs and Uses of Information Collection	Is information shared with other organizations inside or outside the DOC or the government?
Application For Salmon Federal Fisheries Permit (SFFP)	679.114(b)	Owner or authorized representative of catcher vessel used to commercially fish for salmon in the Cook Inlet EEZ Area	Mail, fax, or delivery	3-yr cycle	Y	Used by the public to obtain, amend, renew, or surrender an SFFP. Used by NMFS to determine permit eligibility and to identify fishery participants.	NMFS, NOAA Office of Law Enforcement, the U.S. Coast Guard (USCG), Council
Application For Salmon Federal Processor Permit (SFPP)	679.114(c)	Owner or authorized representative of processors that receive landings of commercially caught Cook Inlet EEZ salmon and process it at the facility receiving the delivery	Mail, fax, or delivery	Annually	Y	Used by the public to obtain, amend, renew, or surrender an SFPP. Used by NMFS to determine permit eligibility and to identify fishery participants.	NMFS, NOAA Office of Law Enforcement, USCG, Council
Application for Registered Salmon Receiver Permit (RSRP)	679.114(d)	Any person other than an SFPP holder who receives salmon commercially harvested in the Cook Inlet EEZ Area from the person(s) who harvested the fish.	Email, mail, fax, or delivery	Annually	Y	Used by the public to obtain, amend, renew, or surrender an RSRP. Used by NMFS to determine permit eligibility and to identify fishery participants.	NMFS, NOAA Office of Law Enforcement
Salmon eLandings Processor Registration	679.115(b)(2) and (b)(3)	New eLandings users who have an SFPP or RSRP	Electronic and either mail, fax, or delivery	Once, prior to using the eLandings system	N	Used by the public to request authorization to use eLandings, create a unique User ID, and obtain a password. Used by NMFS to identify the participants and authorize the participants to use eLandings.	NMFS, State of Alaska Commercial Fisheries Division
Salmon Receiver Landing Report	679.115(a), (b)(4), and (b)(5)	The manager of a shoreside processor or a registered salmon receiver that receives salmon from a vessel issued an SFPP under § 679.114 and that is required to have an SFPP or RSRP under § 679.114(c) or (d)	Electronic	By 1200 hours, A.I.t., of the day following completion of the delivery.	N	Used by SFPP and RSRP holders to report salmon deliveries. Used by NMFS to identify the fishery participants, monitor the deliveries of fish to processing facilities, as well as discard and disposition of species, and for management of the Cook Inlet EEZ commercial salmon fishery.	NMFS, State of Alaska Commercial Fisheries Division
Catcher Vessel Daily Fishing Logsheets Salmon Gillnet Gear	679.115(a) and (c)	The operator of a catcher vessel that is required to have an SFPP under § 679.114(b) and that is using gillnet gear to harvest salmon in the Cook Inlet EEZ	mail or email	<ul style="list-style-type: none"> <li>• Within 2 hours after completion of catch delivery, submit</li> </ul>	Y	Used by operator of catcher vessels to report fishing effort, fishing location, and discarded catch. Used by NMFS to provide data about where and when salmon fishing effort	NMFS, NOAA Office of Law Enforcement

Requirement	Regulations 50 CFR	From whom is the information collected?	How is the information collected?	Frequency	Form ?	Needs and Uses of Information Collection	Is information shared with other organizations inside or outside the DOC or the government?
		Area		<p>logsheet to SFPP or RSRP authorized representative that receives the harvest</p> <ul style="list-style-type: none"> <li>• Within 30 days of season closure, submit all log sheets to NOAA OLE</li> </ul>		occurs and record discard information of prohibited species.	
Salmon Drift Gillnet Marker Buoys	679.118(f) (2)	Vessel owner or operator marks information on buoys	n/a	Buoys are marked as needed to keep the information legible.	N	<p>Used by the permit holder to identify their fishing gear.</p> <p>Used by NMFS to link fishing gear to the vessel owner or operator and facilitate fisheries enforcement.</p>	NMFS, NOAA Office of Law Enforcement, USCG

## **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 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.

Fishing gear is marked with buoys painted with identification information as described below. The identification information on the fishing gear is not disseminated to the public because the information is marked on the buoys and is not submitted to NMFS.

## **Application For Salmon Federal Fisheries Permit**

Harvesting vessels will be required to have a Salmon Federal Fisheries Permit (SFFP) to commercially fish for salmon in the Cook Inlet EEZ Area. An SFFP authorizes the vessel to conduct operations in the Cook Inlet EEZ Area, subject to all other Federal requirements. An SFFP is associated with a specific vessel and not nontransferable to another vessel.

Each vessel used to commercially fish for salmon within the Cook Inlet EEZ Area must have a legible copy (physical or electronic copy) of the valid SFFP on board at all times, which must be presented for inspection upon the request of any authorized officer.

A vessel with an SFFP will be required to have on board a functioning Vessel Monitoring System (see OMB Control No. 0648-0445) to commercially fish for salmon in the Cook Inlet EEZ Area. The vessel will be required to keep its VMS active within State waters to ensure that entire fishing trips are monitored and to help verify that no fishing occurred within State waters during a fishing trip that included salmon harvest in the Cook Inlet EEZ.

An SFFP is valid for three years. An SFFP is in effect from the effective date through the expiration date, as indicated on the SFFP, unless the SFFP is revoked, suspended, or modified under 50 CFR 600.735 or 600.740, or surrendered in accordance with § 679.114(a)(7). As with other Federal fisheries, if a vessel surrendered an SFFP, it could not obtain a new SFFP until the start of the next 3-year permit cycle. This prevents vessels from regularly surrendering and reobtaining SFFPs to avoid Federal monitoring requirements.

The Application For Salmon Federal Fisheries Permit will be used by the owner or authorized representative of a catcher vessel to obtain, renew, amend, or surrender an SFFP. Only persons who are U.S. citizens are authorized to receive or hold an SFFP. NMFS will issue an SFFP at no charge after receipt and review of a complete SFFP application.

The information collected on this application includes the type of request; owner identification and contact information; vessel information; and signature of the applicant or their authorized representative.

If completed by an authorized representative, authorization must be attached. If ownership has changed or if it is an application for a vessel to which an SFFP has never been issued, documentation of vessel ownership must be provided.

### **Application For Salmon Federal Processor Permit**

Processors that receive and process landings of salmon caught in the Cook Inlet EEZ Area by a vessel authorized by an SFFP will be required to obtain a Salmon Federal Processor Permit (SFPP). This includes any person, facility, vessel, or stationary floating processor (SFP) that receives, purchases, or arranges to purchase and process unprocessed salmon harvested in the Cook Inlet EEZ Area, except registered salmon receivers.

Because SFPPs will be facility-specific, one SFPP will be required for every processing facility, even if a facility was controlled by a company already holding an SFPP at another processing facility. For direct-marketing operations where the owner or operator of a harvesting vessel catches and processes their catch, both an SFFP and an SFPP are required.

A legible copy of a valid SFPP must be on site at the processor at all times and must be presented for inspection upon request of any authorized officer.

SFPP holders will be required to report all salmon landings through eLandings by noon of the day following completion of the delivery (see the sections on eLandings below).

An SFPP is transferrable and valid for one year. The shorter timeframe reflects the need to maintain a current and comprehensive inventory of all Federal salmon landings in Cook Inlet given frequent business or ownership changes for Cook Inlet salmon processing and buying operations. An SFPP is in effect from the effective date through the date of permit expiration, unless it is revoked, suspended, or modified under 50 CFR 600.735 or 600.740, or surrendered in accordance with § 679.114(a)(7).

The Application For Salmon Federal Processor Permit will be used to obtain, renew, amend, or surrender an SFPP. NMFS will issue an SFPP at no charge after receipt and review of a complete SFFP application. If the ownership of an entity holding a SFPP or RSRP changes, the new owner will need to submit an application for an amended permit. The amended permit will be issued with a new permit number to reflect the change.

The information collected on this application includes the type of request; processor identification and contact information; processor ownership information; and signature of the applicant or their authorized representative. If completed by an authorized representative, authorization must be attached. If ownership has changed or if an FPP has never been issued for this processor, a copy of the USCG Abstract of Title or Certificate of Documentation must be included with this application.

### **Application For Registered Salmon Receiver Permit**

A Registered Salmon Receiver Permit (RSRP) will be required for any person, other than an SFPP holder, to receive salmon commercially harvested in the Cook Inlet EEZ Area from the person(s) who harvested the fish. Persons or businesses that receive landings (deliveries) of Cook Inlet EEZ salmon from harvesting vessels but do not immediately process it, or transport it to another location for processing, will be required to obtain an RSRP.

An RSRP will be required for each entity receiving but not processing landings of Cook Inlet EEZ salmon at the location of the delivery if they are not operated by an SFPP holder. This includes fish transporters or buying stations unaffiliated with an SFPP holder that receive deliveries directly from harvesting vessels. This is to ensure that there is not a significant time lag between a landing occurring and that information being reported to Federal managers across all seafood operation types common to Cook Inlet.

If a tender vessel or vehicle receiving deliveries of salmon is operated by an SFPP holder, it may operate under the SFPP and does not need to obtain an RSRP. For catcher-seller operations where the owner or operator of a harvesting vessel catches and sells unprocessed salmon (e.g., whole fish or headed and gutted) themselves, both an SFPP and an RSRP would be required.

A legible copy of the RSRP must be present at the location of a landing and must be made available by an individual representing the Registered Salmon Receiver for inspection on request of any authorized officer.

RSRP holders will be required to report all salmon landings through eLandings by noon of the day following completion of the delivery (see the sections on eLandings below).

An RSRP is valid for one year. The shorter timeframe reflects the need to maintain a current and comprehensive inventory of all Federal salmon landings in Cook Inlet given frequent business or ownership changes for Cook Inlet salmon processing and buying operations. An RSRP is issued on an annual cycle defined as May through the end of April of the next calendar year. An RSRP is in effect from the first day of May in the year for which it is issued or from the date of issuance, whichever is later, through the end of the current annual cycle, unless it is revoked, suspended, or modified under 50 CFR 600.735 or 600.740, or surrendered in accordance with § 679.114(a)(7).

The Application For Registered Salmon Receiver Permit will be used by the owner or authorized representative to obtain, renew, amend, or surrender an RSRP. NMFS will issue an RSRP at no charge after receipt and review of a complete RSRP application.

The information collected on this application includes the type of request; applicant identification and contact information; type of salmon receiver operation and identification information; and signature of the applicant or their authorized representative. If completed by an authorized representative, authorization must be attached.

### **Salmon eLandings Processor Registration**

SFPP and RSRP holders who do not already have access to eLandings due to their participation in other fisheries, will need to complete the salmon eLandings processor registration before using the eLandings system. Registration is necessary to request authorization to use the system, create a unique User ID, and obtain a password.

eLandings registration for other fisheries is approved under OMB Control Number 0648-0515. The eLandings registration for SFPP and RSRP holders that already have access to eLandings will be updated when they submit their completed Application For Salmon Federal Processor Permit or Application For Registered Salmon Receiver Permit.

The registration is completed online at the eLandings registration page: <https://elandings.alaska.gov/elandings/Register>. Entering the information generates a User Agreement Form that the User must print, sign, and submit to NMFS. NMFS will email confirmation that the User is registered, authorized to use eLandings, and that the UserID and the User's account are enabled.

Section 679.115(b)(3) lists the information required for the eLandings processor registration. The following type of information is collected: type of operation (selected from a dropdown list); operation name; ADF&G processor code; Federal permit types and numbers; home port code; ADF&G vessel identification number (if a tender vessel); vehicle license information (if a vehicle); if a buying station, tender vessel, or custom processor, information that identifies the associated processor where the processing will take place; and identification and contact information for the primary eLandings User.

### **Salmon Receiver Landing Report**

The manager of a shoreside processor or a registered salmon receiver that receives salmon from a vessel issued an SFFP under § 679.114 and that is required to have an SFPP or RSRP under § 679.114(c) or (d) will be required to use eLandings or other NMFS-approved software to submit a daily landing report during the fishing year.

To manage the fishery successfully and avoid overfishing, Federal managers need accurate and rapidly reported catch data from the EEZ to deduct salmon catches from the total allowable catch. To achieve this, SFPP and RSRP holders will be required to report all salmon landings through eLandings by noon of the day following completion of the delivery. This ensures that Federal fishery managers will receive timely catch information from all Federal landings to inform Federal management actions.

Section 679.115(b)(4) lists the fields for the landing report that eLandings autofills with information from the processor's or registered salmon receiver's eLandings registration record. The User must review the autofilled cells to ensure that they are accurate for the landing that is taking place.

Section 679.115(b)(5) lists the information submitted by the manager of a shoreside processor or a registered salmon receiver on the salmon receiver landing report. The report will collect the following information: processor identification information, delivery information, catch information, and discard or disposition information.

### **Catcher Vessel Daily Fishing Logsheet Salmon Gillnet Gear**

The operator of a catcher vessel that is required to have an SFFP under § 679.114(b) and that is using gillnet gear to harvest salmon in the Cook Inlet EEZ Area, will be required to maintain a salmon drift gillnet daily fishing log.

This logsheet is necessary to collect catch and bycatch information. Currently, no quantitative information is available on discards of salmon and groundfish in the Cook Inlet drift gillnet salmon fishery or other closely analogous fisheries to estimate bycatch amounts and mortality. The data provided by the logs will provide this information and satisfy the Magnuson-Stevens Act Standardized Bycatch Reporting Methodology requirement (16 U.S.C. 1853(a)(11)). Information from logs will also be used to corroborate vessel monitoring system data in the event of a suspected Federal fishery violation.

NMFS will provide a free downloadable logsheet for catcher vessels using gillnet gear. Additional logsheets may be downloaded or printed at any time. The logsheet is a single page fillable pdf that can

be either filled in by computer or printed and then filled out. The log will be submitted by mail or email. The vessel operator must distribute and submit accurate copies of the logs to the salmon shoreside processor or Registered Salmon Receiver and to NOAA Office of Law Enforcement Alaska Region according to the logsheet instructions.

The operator of a catcher vessel using drift gillnet gear must record in the daily fishing log the information from the following table for each set within the specified time limit (§ 679.115(c)(4)).

Required Information	Time Limit for Recording
SFFP number, set number, date and time gear set, date and time gear hauled, beginning and end positions of set, length of net deployed, total number of salmon, marine mammal interaction code, and estimated hail weight of groundfish for each set	Within 2 hours after completion of gear retrieval
Discard and disposition information	Prior to landing
Submit an accurate copy of the groundfish discards reported on the daily fishing log to shoreside processor or registered salmon receiver receiving catch	At the time of catch delivery
All other required information	At the time of catch delivery
Operator sign the completed logsheets	At the time of catch delivery

### Salmon Drift Gillnet Marker Buoys

Drift gillnet gear will be required to be marked at both ends with buoys that legibly display the vessel’s SFFP number.

Regulations that fishing gear be marked with identification information are essential to facilitate fisheries enforcement and actions concerning damage, loss, and civil proceedings. The ability to link fishing gear to the vessel owner or operator is crucial to enforcement of regulations. NOAA Office of Law Enforcement and the United States Coast Guard (USCG) use the identification information on fishing gear when issuing violations, prosecutions, and other enforcement actions. Buoy marking reduces the costs to NOAA Office of Law Enforcement and the USCG for enforcement efforts and allows for more effective enforcement of fishing gear regulations. Cooperating fishermen also use the gear identification to report placement or occurrence in unauthorized areas.

**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 eLandings registration and landing reports are submitted online through eLandings, the interagency electronic reporting system for commercial fishery landings in Alaska, at <https://elandings.alaska.gov/>. For catcher/processors and motherships that do not have reliable Internet service, a Desktop Client Application (seaLandings) can be used to generate report files for submitting via email. Tender vessels that do not have access to email or the Internet can enter the information electronically on a USB drive that is later uploaded to eLandings over the Internet.

The Catcher Vessel Daily Fishing Logsheet Salmon Gillnet Gear will be available as a fillable pdf on the NMFS Alaska Region website. The logsheets may be submitted by mail or email.

All of the permit applications will be available as fillable pdfs on the NMFS Alaska Region website. They may be printed and then submitted to NMFS.

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 is working on a new system whereby all of the information will be entered online and submitted directly and automatically into a database.

Marking fishing gear does not involve automated, electronic, mechanical, or other technological techniques or forms of information technology.

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

None of the information collected duplicates other collections. Although information requirements for eLandings are approved under OMB Control Number 0648-0515, the salmon eLandings processor registration and salmon processor landing report are specific to the Cook Inlet EEZ commercial salmon fishery and do not duplicate the collection of information for 0648-0515. If a participant in the Cook Inlet EEZ commercial salmon fishery has previously registered to use eLandings due to participation in another fishery (see 0648-0515), they already have access to eLandings and will not need to complete the new salmon eLandings processor registration. They would update their existing eLandings registration by completing their Application For Salmon Federal Processor Permit or Application For Registered Salmon Receiver Permit.

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.**

This information collection impacts small entities but does not impose a significant impact on them. NMFS attempts to minimize the burden of this information collection on all respondents by collecting only information necessary to manage the Cook Inlet EEZ commercial salmon fishery, by providing options for submitting the information when possible, and by providing help to participants by phone and through online help options and user guides.

While the requirements in this information collection would increase costs to participants of the Cook Inlet commercial salmon fishery, these requirements are necessary for NMFS to manage the fishery and prevent overfishing. Specific consideration was given in their development to minimize burden to the extent practicable while also providing required information to Federal fishery managers in a timely

manner. All entities directly regulated by this action could choose to continue participating in only the State waters fisheries to avoid being subject to these Federal requirements.

Fishing gear is marked with the minimum information needed to identify the vessel owner or operator. Most fishermen properly identify marker buoys and are not adversely affected by this requirement. Fishermen marking their gear correctly ultimately benefit as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

**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 required to implement, manage, and monitor the Cook Inlet EEZ commercial salmon fishery under the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*). It would not be possible to effectively manage the Cook Inlet EEZ commercial salmon fishery or carry out the mandates of the Magnuson-Stevens Act if this collection were not conducted or conducted less frequently. If this collection were not conducted or conducted less frequently, the quality of data from the fishery would be greatly reduced and negatively impact NMFS management of the fishery. This information collection provides data on salmon harvest and allows NMFS to ensure that participants in the commercial salmon fishery adhere to program regulations in order to achieve a sustainable fishery.

This information collection has been developed to ensure that Federal fishery managers receive timely catch information from Federal landings to inform Federal management actions. To manage the fishery successfully and avoid overfishing, Federal managers need accurate and rapidly reported catch data from the EEZ to deduct salmon catches from the total allowable catch. The permit system is an integral part of management of groundfish fisheries in the Alaska Region and ensures NMFS has accurate participant data to manage the fishery. Without data from logbooks or landing reports it would be difficult to estimate salmon harvest with any level of confidence. The ability to link fishing gear to the vessel owner or operator is crucial to enforcement of regulations and without it the ability of NMFS and the USCG to enforce the fishery management measures would be significantly impaired.

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

Some instruments in this collection may require respondents to report information to the agency more often than quarterly. Landing reports and logsheets must be submitted by the required time following harvest or delivery, which could result in information being submitted more often than quarterly. NMFS uses this information for inseason and inter-season management decisions and is necessary to monitor and manage the fisheries.

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 proposed rule ([88 FR 72314](#)) soliciting public comments published on October 19, 2023. The comment period ended on December 18, 2023. Five comments were received on the requirements in this information collection. No changes were made because of the comments received. The comments and NMFS' responses are presented below.

*Comment 1:* Will the drift gillnet fishery participants be required to maintain a digital logbook?

*Response:* Under this final rule at § 679.115, vessel operators are responsible for completing and submitting logbooks. This final rule does not require a digital logbook. NMFS will provide logbook sheets to participants at no cost.

*Comment 2:* Amendment 16 appears to propose allowing new participants into the commercial fishery by requiring only a Federal fisheries permit and provides no explanation or justification for doing so. Commercial fishing for salmon in Federal and State waters in Cook Inlet has been restricted to State Commercial Fisheries Entry Commission (CFEC) limited entry permit holders since 1974. If the permitting requirements under this action open up the drift gillnet fishery to new participants by no longer requiring a CFEC permit, that will significantly devalue the CFEC permits held by existing participants. If NMFS is not opening the fishery up to new participants, it must clarify the ambiguity in the proposed rule in response to this comment. Simply impose the same CFEC rules regarding permits (i.e., allow 150 fathoms for 1 CFEC permit, and 200 fathoms for 2 CFEC permits).

*Response:* This action does not modify the State law requirements related to CFEC permits. As described in Section 2.5.6 of the Analysis, NMFS issues Federal permits authorizing participation in Federal fisheries and allowing for implementation of Federal monitoring, recordkeeping, and reporting requirements in order to manage fisheries. This final rule at § 679.114(b)(1) requires vessel owners or operators to obtain a Salmon Federal Fisheries Permit (SFFP) to commercially fish for salmon in the Cook Inlet EEZ. NMFS will issue SFFPs free of charge. An SFFP is not a Federal limited entry permit. As described in Section 2.5.15 of the Analysis, a Federal limited entry program was considered but not selected.

Although the SFFP is not a limited entry permit, vessels that land salmon from the Cook Inlet EEZ in Alaska must also comply with all applicable State laws, which include the requirement to have the appropriate State CFEC permit, which is a limited entry permit. Because landing or transferring fish in

the EEZ is prohibited, and there are significant logistical constraints on landing salmon outside of Alaska, NMFS anticipates that all participating vessels will land their fish within the State of Alaska where they would be required to have State CFEC S03H limited entry permits. This will help ensure that historical participants in the fishery are not displaced or disrupted by new entrants, and that negative impacts to CFEC permit values are reduced or eliminated.

As described in Section 2.5.15 of the Analysis, in the future, the Council may decide to conduct an analysis to determine if an FMP amendment is necessary to limit entry in the Cook Inlet EEZ Area. Any Federal limited entry program would need to be designed to comply with the requirements of the Magnuson-Stevens Act and may not mirror the State limited entry program.

Regarding the length of drift gillnet fishing gear allowed in Federal waters, as described in response to Comment A<sup>1</sup> (net length) in the final rule, NMFS intends to allow for all currently used configurations of drift gillnet gear so participants do not have to obtain new fishing gear. Fishery participants should consult State of Alaska regulations to determine the amount of fishing gear with which they are allowed to transit State waters and land salmon in Alaska.

*Comment 3:* Can a vessel registered in a separate Alaska gillnet area (e.g., a vessel fishing in Bristol bay State waters) participate in the Federal Cook Inlet fishery?

*Response:* As explained in response to comment 2, participants in the Federal Cook Inlet EEZ Area drift gillnet fishery will be required to have an SFFP. State CFEC permit requirements fall under the purview of the State. NMFS anticipates that a CFEC S03H permit for Cook Inlet drift gillnet would be required to land drift gillnet caught fish from the Cook Inlet EEZ Area in Alaska. Participants should consult the applicable State of Alaska regulations for a definitive answer regarding landing requirements.

*Comment 4:* The State supports maintaining the requirement for drift gillnet vessels in the EEZ to have the appropriate Commercial Fisheries Entry Commission (CFEC) permit(s) to land salmon or other species caught in the EEZ within the State or enter State waters.

*Response:* NMFS acknowledges this comment. As specified in the proposed rule, State requirements, including an appropriate State CFEC permit(s), would still apply for drift gillnet vessels to land salmon or other species caught in the EEZ within the State or enter State waters.

*Comment 5:* Amendment 16 does not adequately consider or promote efficiency in the utilization of fishery resources, and it fails to minimize costs and avoid unnecessary duplication to the extent practicable in violation of National Standards 5 and 7.

NMFS's analysis notes that Amendment 16 will "increase direct costs and burdens to S03H permit holders due to requirements including obtaining a [Salmon Federal Fisheries Permit (SFFP)], installing and operating a VMS, and maintaining a federal logbook" among other requirements. NMFS also chose to open fishing in the EEZ on the same days and at the same times that the State fishery is open and to prohibit participants from fishing in State and Federal waters during the same trip. This limitation makes no sense, is extremely inefficient, is impracticable for participants, and appears punitive."

*Response:* NMFS disagrees that this action does not consider efficiency in the utilization of fishery resources. NMFS also disagrees that this action fails to minimize costs and avoid unnecessary

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<sup>1</sup> This comment is responded to in the final rule. At the time this supporting statement was prepared, comment numbers were not available yet for the comments and responses in the final rule.

duplication. Because the State of Alaska would not accept a delegation of management authority nor commit to providing the information required for management within the needed timeframe, NMFS must establish Federal monitoring, recordkeeping, and reporting requirements to supply this essential information to Federal fishery managers. As described in the response to comment B<sup>2</sup> in the final rule, NMFS identified the information required to manage and enforce salmon fishing in the Cook Inlet EEZ Area. NMFS considered the additional costs and burden of these measures on participants in Section 4.7.2.2 of the Analysis.

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

No payment or gifts are provided to the respondents in this collection.

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

The marking of fishing gear is not confidential. There is no assurance of confidentiality provided, as marking of gear occurs on an individual basis.

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 Notices (SORNs) that cover this information collection is [COMMERCE/NOAA-6, Fishermen's Statistical Data](#) and [COMMERCE/NOAA-19, Permits and Registrations for United States Federally Regulated Fisheries](#). An amended Privacy Act SORN was published for COMMERCE/NOAA-19 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.**

This new information collection uses time burden estimates and hourly wage rates based on similar collection instruments and respondent types approved under other NMFS Alaska Region information collections.

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<sup>2</sup> This comment is responded to in the final rule. At the time this supporting statement was prepared, comment numbers were not available yet for the comments and responses in the final rule.

The hourly wage rate is the most current rate available (May 2022) from the U. S. Bureau of Labor Statistics. The wage rate estimate of \$22.52 is the Alaska 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)).

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)
Application For Salmon Federal Fisheries Permit	Vessel owner or representative	361 <sup>1</sup>	1	361	15 min.	90	\$22.52	\$2,027
Application For Salmon Federal Processor Permit	Processor owner or representative	19	1	19	25 min.	8	\$22.52	\$180
Application For Registered Salmon Receiver Permit	Fish transporters and buyers	20	1	20	20 min.	7	\$22.52	\$158
Salmon eLandings Processor Registration	processors and registered salmon receivers	6 annualized` (18/3)	1	6 annualized` (18/3)	15 min.	2	\$22.52	\$45
Salmon Receiver Landing Report	processors and registered salmon receivers	39	Annual averages are calculated for these instead of average per entity.	6,137 <sup>2</sup>	10 min.	1,023	\$22.52	\$23,038
Catcher Vessel Daily Fishing Logsheet Salmon Gillnet Gear	Vessel owner or operator	361		6,498 <sup>3</sup>	15 min.	1,625	\$22.52	\$36,595
Salmon Drift Gillnet Marker Buoys	Vessel owner or operator	181 <sup>4</sup>	1	181	30 min. to mark each buoy	91	\$22.52	\$2,049
<b>Totals</b>				<b>13,222</b>		<b>2,846</b>		<b>\$64,092</b>

<sup>1</sup> NMFS estimates 361 SFFP holders annually based on the average number of active State of Alaska S03H Commercial Fisheries Entry Commission Limited Entry salmon permit holders (S03H permits) fishing in the Cook Inlet EEZ Area from 2019-2021.

<sup>2</sup> The annual number of landing report responses is estimated by multiplying the number of SFFP holders (vessels potentially making deliveries) by the number of fishing periods over the year (361 SFFP holders x 17 fishing periods = 6,137 total annual responses). The actual number is likely to be lower than this estimate since fewer vessels participate at the beginning and end of a fishing season.

<sup>3</sup> The annual number of logsheet responses is estimated by multiplying the number of SFFP holders (vessels potentially making deliveries) by the number of fishing periods over the year (361 SFFP holders x 17 fishing periods = 6,137 total annual responses) and adding the number of SFFP holders because at the end of the season they each submit all logsheets to NMFS OLE in one submission. The actual number is likely to be lower than this estimate since fewer vessels participate at the beginning and end of a fishing season.

<sup>4</sup> NMFS estimates that each year, half of the SFFP holders (361 / 2 = 181) will need to repaint one buoy as the markings on the other buoy will still be legible and the information still correct.

**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.

The cost to annually mark the buoys is estimated at \$100 per respondent. The cost covers materials such as paint (\$85 per quart) and paintbrushes, permanent ink applicator, and stencils.

Some respondents for the collection submit more than one type of information collection 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 initial 3-year approval period for this new collection. The unique respondents are the 361 SFFP holders, 19 SFPP holders, and 20 RSRP holders.

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)
Application For Salmon Federal Fisheries Permit	361	1	361	Operating costs: \$5	\$1,805
Application For Salmon Federal Processor Permit	19	1	19	Operating costs: \$5	\$95
Application For Registered Salmon Receiver Permit	20	1	20	Operating costs: \$5	\$100
Salmon eLandings Processor Registration	6 annualized` (18/3)	1	6 annualized` (18/3)	*	\$0
Salmon Receiver Landing Report	39	Annual averages are calculated for these instead of average per entity.	6,137	*	\$0
Catcher Vessel Daily Fishing Logsheet Salmon Gillnet Gear	361		6,498	*	\$0
Salmon Drift Gillnet Marker Buoys	181	1	181	Marking supplies: \$100 per respondent	\$18,100
<b>TOTALS</b>	<b>400 (unique respondents )</b>		<b>13,222</b>		<b>20,100</b>

\* The annual cost burden per respondent for the applications, eLandings registration, landing report, and logsheet are expected to be minimal. The operating costs estimate for the applications for the SFFP, SFPP, and RSRP are conservative and will cover any costs to these respondents for the eLandings registration, landing report, and logsheet.

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

A logbook for the catcher vessel salmon drift gillnet fishery would need to be developed since there currently is not a State or Federal logbook for this fishery (or any other Alaska commercial salmon fishery). Section 4.7.2.2.2 of the Regulatory Impact Review prepared for this rule provided an upper bound approximation of \$200,000 to \$300,000 as the cost of developing and implementing an electronic logbook system; however, this was based on a more complex system than what would be needed for this fishery. Developing and implementing a logbook for this fishery is expected to be considerably less expensive. For purposes of this analysis, an estimate of \$200,000 is used in the table below for development and implementation of the logbook, although that estimate is high. Currently, a logsheet has been developed by NMFS Alaska Region that will be provided on its website as a fillable pdf at no cost to the fishery participants to download or print and submit by mail or electronically.

No costs to the Federal Government are associated with the requirement for marking salmon drift gillnet gear because this involves the respondents marking the buoys, and no information is received by NMFS to process.

The fully loaded salary cost shown in the table below includes 52 percent of the salary to account for benefits and other overhead costs (e.g., \$78,056 \* 1.52 = \$118,645 loaded salary). The grade and step are from the Department of Commerce Alternative Personnel System (CAPS) 2024 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>					
Other Federal Positions					
Agency project coordination, training, user support	ZP-2 step 3 (GS 7-10)	\$147,393	50%		\$73,697
Permit Assistant	ZS-4 step 4 (GS 7-8)	\$124,818	1%		\$1,248
<b>Contractor Cost:</b> User support, software testing, and application development					\$850
<b>Travel</b>					—
<b>Other Costs</b> Logbook development and implementation \$200,000 / 3 = \$66,667 annualized					\$ 66,667
<b>TOTAL</b>					<b>\$142,462</b>

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

This is a request for a new information collection for the Cook Inlet EEZ commercial salmon fishery. due to a rule to implement Amendment 16 to the Salmon FMP, which establishes Federal fishery management for all salmon fishing that occurs in the Cook Inlet EEZ (RIN 0648-BM42).

**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.**

NMFS will post the list of SFFPs, SFPPs, and RSRPs from this collection on the NMFS Alaska Region website for permits and licenses issued in Alaska (<https://www.fisheries.noaa.gov/alaska/commercial-fishing/permits-and-licenses-issued-alaska>).

NMFS will maintain a list of permitted processors that may be disclosed for public inspection.

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

There are no forms associated with the salmon drift gillnet marker buoys on which to display an expiration date. The agency plans to display the expiration date for OMB approval of the information collection on all other 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\(b\)\(3\)](#).