

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 12/19/2013

Department of Commerce
National Oceanic and Atmospheric Administration

FOR CERTIFYING OFFICIAL: Simon Szykman

FOR CLEARANCE OFFICER: Jennifer Jessup

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 12/19/2013

ACTION REQUESTED: No material or nonsubstantive change to a currently approved collection

TYPE OF REVIEW REQUESTED: Regular

ICR REFERENCE NUMBER: 201312-0648-003

AGENCY ICR TRACKING NUMBER:

TITLE: Alaska License Limitation Program for Groundfish, Crab, and Scallops

LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change

OMB CONTROL NUMBER: 0648-0334

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 12/31/2014

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	148	274	1,969
New	151	276	1,981
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	3	2	12
Change due to Agency Adjustment	0	0	0
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: Dominic J. Mancini
Acting Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Groundfish, Crab, and Scallop Transfers	NA, NA	LLP transfer application for groundfish and crab, Application for ransfer LLP scallop license	50 CFR 679
Transfer Appeals			50 CFR 679
Survey to Verify the Length Overall (LOA) of the Vessel			50 CFR 679.4
Notify to Surrender Endorsement			50 CFR 679.4

SUPPORTING STATEMENT
ALASKA LICENSE LIMITATION PROGRAM FOR GROUND FISH, CRAB, AND
SCALLOPS
OMB CONTROL NO. 0648-0334

INTRODUCTION

Three License Limitation Program (LLP) permit holders would surrender endorsements in exchange for three specific LLP licenses [**Associated Rule: RIN 0648-BC73**].

National Marine Fisheries Service, Alaska Region (NMFS) manages the fisheries in the exclusive economic zone off the coast of Alaska under the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP). The North Pacific Fishery Management Council (Council) prepared, and NMFS approved, the FMP under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#), 16 U.S.C. 1801 et seq. as amended in 2006. The FMP is implemented by regulations at [50 CFR part 679](#).

The intended effect of the LLP is to limit the number of participants, reduce fishing capacity in fisheries off Alaska, and limit access to the groundfish, crab, and scallop fisheries in the Bering Sea and Aleutian Islands Management Area (BSAI) and Gulf of Alaska (GOA).

For a vessel designated on an LLP license, the LLP license authorizes the type of fishing gear that may be used by the vessel, the maximum size of the vessel, and whether the vessel may catch and process fish at sea or if it is limited to delivering catch without at-sea processing. LLP licenses that allow vessels to catch and process at-sea are assigned a catcher/processor endorsement; those that restrict vessels from at-sea processing are assigned a catcher vessel endorsement.

LLP licenses specify the maximum length overall (MLOA) of the vessel to which that LLP license may be assigned. Participants in LLP groundfish fisheries are prohibited from using a vessel to fish for LLP groundfish that has an LOA that is greater than the vessel MLOA specified on the LLP license.

Amendment 99 would automatically increase the vessel MLOA to 220 feet (67 m) on 33 LLP licenses in the BSAI longline catcher/processor subsector not also endorsed for pot gear. NMFS would encourage the remaining eligible three LLP license holders who also use pot gear to surrender their LLP in exchange for eligibility to replace aging vessels with newer, safer, and more efficient 220-foot (67 m) MLOA vessels.

A. JUSTIFICATION

Each groundfish LLP license endorsed to catch and process Pacific cod with hook-and-line gear in the Bering Sea or Aleutian Islands, or both, is eligible to receive a 220-foot (67-m) MLOA. The three holders of eligible LLPs that also have pot gear endorsements would need to submit a timely written request to remove all pot gear Pacific cod endorsements on that LLP, thus to

surrender the endorsements. The signature of the LLP holder acknowledges that the election is permanent and irreversible.

1. Explain the circumstances that make the collection of information necessary.

The principal objective of this action is to promote the sustainable harvest of groundfish, especially Pacific cod in the BSAI and GOA, by removing disincentives for owners of vessels authorized to participate in the BSAI longline catcher/processor subsector to rebuild or replace their vessels with larger vessels. To the extent that the vessel owners exercise the vessel replacement opportunity provided in this proposed action, it would promote efficient utilization of the Pacific cod resource in the BSAI and GOA. The proposed action would also promote safety-at-sea because it removes disincentives for vessel owners to replace existing vessels with newer vessels that can accommodate improved safety features and minimize the risks faced by crew members.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

There are 36 LLP licenses that meet the eligibility criteria for the BSAI longline catcher/processor subsector.

A time limit on the one-time election for these LLP license holders would close 36 months from the effective date of the final rule. The deadline is intended to clearly identify pot gear catcher/processor participants within a reasonable time frame; the surrendered endorsements would be extinguished. The holder of an eligible LLP license or the authorized representative request NMFS permanently remove all pot gear Pacific cod endorsements issued on that LLP license; request that NMFS issue a 220-foot (67-m) MLOA on that LLP license, and sign the request, submitting to NMFS by mail, fax, or hand delivery.

If the written notification is received by NMFS within the 36 months prior to the deadline, NMFS would issue a revised LLP license to the holder of that license. License holders who choose not to make the one-time election, or who do not submit a written notification within the 36-month deadline would retain their current MLOA on their LLP licenses and eligibility to fish in both the Pacific cod pot fisheries and longline fisheries in the BSAI and GOA.

Thirty days following the publication of the final rule, NMFS would issue new LLP licenses with an MLOA of 220 feet (67 m) to the 33 holders of the eligible licenses and the MLOAs of the three pot-gear LLP licenses would only be modified after the submission of a written request from the holders of LLP licenses.

Notify to Surrender Endorsement, Respondent	
Total respondents	3
Total responses	3
Frequency of response = one time only = 1	
Total burden hours	1.5 (2)
Time per response = 30 minutes	h
Total personnel cost (\$25/hr)	r
Total miscellaneous costs (12.45)	
Postage 0.45 x 1 = .45	\$50
Fax 6 x 1 = 6.00	\$12
Courier 6 x 1 = 6.00	

Notify to Surrender Endorsement, Federal Government	
Total responses	3
Total burden hours	3 hr
Time per response = 1 hr	
Total personnel costs (\$25 x 3)	\$75
Total miscellaneous costs	0

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

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

No form exists for the Written Request to Notify to Surrender Endorsement. This request would be submitted by mail, fax, or delivery.

4. Describe efforts to identify duplication.

None of the information collected as part of this information collection duplicates other collections.

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

NMFS has concluded that the 36 LLP license holders impacted through this proposed action are all affiliated with each other through membership in a cooperative. Consequently, all impacted entities are considered “large entities” for the purpose of the RFA. Since there are no directly regulated small entities under this action, there are no economic impacts from this action on small entities.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Amendment 99 would enable the holders of LLP licenses authorizing a designated vessel to catch and process Pacific cod in the BSAI hook-and-line fisheries, to use newly built or existing vessels that are not eligible under current vessel length and capacity restrictions. This action is necessary to promote safety-at-sea, by encouraging the replacement of older vessels with newer and more efficient vessels that are able to meet modern vessel safety standards. This action is intended to facilitate the increased retention and utilization of groundfish by allowing sector participants to use larger vessels with increased processing and hold capabilities.

To the extent that the vessel owners exercise the vessel replacement opportunity provided in this proposed action, it would promote efficient utilization of the Pacific cod resource in the BSAI and GOA. The proposed action would also promote safety-at-sea because it removes disincentives for vessel owners to replace existing vessels with newer vessels that can accommodate improved safety features and minimize the risks faced by crew members.

If this policy were not conducted, some fishing for Pacific cod would be conducted in older, unsafe vessels that cause risks to crew members. In addition, new vessels are equipped to store and process larger quantities of fish; smaller vessels must return to the fishing ground more often, sometimes at risk to crew members.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

No special circumstances are associated with this information collection.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons 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 (if any), and on the data elements to be recorded, disclosed, or reported.

The NMFS Alaska Region will submit a proposed rule, RIN 0648-0648-BC73, coincident with this submission, requesting comments from the public.

NMFS received 3 comment letters during the public comment periods on the Notice of Availability for Amendment 99 and the proposed rule to implement Amendment 99. Each comment letter was submitted by the same member of the public. The commenter expressed a general dislike of fishery management policies that are out of the scope of this action. One comment expressed discontent with this action and is included below with NMFS response. No changes were made this final rule in response to comment letter received.

Comment: Older vessels should not be replaced with newer vessels because the larger vessels will increase catch to unsustainable levels.

Response: NMFS disagrees. As noted in the preamble to the proposed rule and in section XXX of the analysis prepared for this action, vessel owners are currently able to replace older vessels with newer vessels that meet modern safety standards. This action would increase the MLOA on eligible LLP licenses to enable LLP license holder to deploy larger vessels that can provide additional hold capacity. The increased usable space onboard the vessel is intended to increase the retention and utilization of catch and not to expand fishing effort into other fisheries. Management constraints such as Pacific cod species endorsements on LLP licenses, sector allocations for Pacific cod in the BSAI and GOA, and halibut PSC limits in the BSAI and GOA, limit the ability of LLP license holders to expand the deployment of these vessels to other fishing operations in the EEZ off Alaska. While it is possible that larger BSAI longline C/P vessels entering the GOA Pacific cod fishery could increase competition in that fishery all holders of eligible BSAI longline C/P subsector LLP licenses have joined a single cooperative, the Freezer Longline Conservation Cooperative (FLCC). Cooperative management enables the license holders to efficiently harvest sector allocations through the coordination of fishing effort among participants. NMFS and the Council note that the harvest patterns of individual member vessels are unlikely to change following the implementation of Amendment 99 because FLCC member vessels eligible to catch and process Pacific cod in the GOA have not increased effort in the GOA Pacific cod fisheries despite the efficiencies gained by cooperative management and their significantly longer length compared to the hook-and-line C/Ps active in the GOA that are not FLCC members. NMFS notes that although the BSAI longline C/P fleet could increase effort in the GOA under the status quo, they have not.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payment or gift will be provided under this program.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

The information collected is mandatory and is required to manage commercial fishing efforts under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, et seq.); 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act as amended in 2006 and under [NOAA Administrative Order 216-100](#), which sets forth procedures to protect confidentiality of fishery statistics.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

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

12. Provide an estimate in hours of the burden of the collection of information.

This action would make a one-time change to this collection. Estimated total respondents: 148. Estimated total responses: 151, up from 148. Estimated total burden: 276, up from 274 hr. Estimated total personnel cost: \$ 6,900, up from \$ 6,850.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

Estimated total miscellaneous costs: \$1,981 up from \$1,969.

14. Provide estimates of annualized cost to the Federal government.

Estimated total responses: 151. Estimated total burden: 227 hr, up from 224 hr. Estimated total personnel costs: \$14,075, up from \$14,000.

15. Explain the reasons for any program changes or adjustments.

Program Change. This action describes a new management measure to automatically increase the vessel MLOA to 220 feet (67 m) on 33 LLP licenses in the BSAI longline catcher/processor subsector not also endorsed for pot gear. NMFS would encourage the remaining eligible three LLP license holders who also use pot gear to surrender their LLP in exchange for eligibility to replace aging vessels with newer, safer, and more efficient 220-foot (67 m) MLOA vessels.

Notify to Surrender Endorsement (New)

an increase of 3 respondents and responses, 3 instead of 0

an increase of 2 hr burden, 2 hr instead of 0

an increase of \$50 personnel costs, \$50 instead of 0

an increase of \$12 miscellaneous costs, \$12 instead of 0

All other burden and cost remains the same.

16. For collections whose results will be published, outline the plans for tabulation and publication.

NMFS Alaska Region posts LLP license information on the web at <http://alaskafisheries.noaa.gov/ram/llp.htm#list>. The lists contain LLP groundfish and crab licenses issued as of the indicated preparation date. Data are sorted alphabetically and are

updated daily. Under current regulations, vessels must be designated on the licenses and the identities of original qualifying vessels are provided for reference only.

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

Not Applicable.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

PAPERWORK REDUCTION ACT CHANGE WORKSHEET

Agency/Subagency	OMB Control Number _____ - _____	
<i>Enter only items that change</i>		
	Current record	New record
Agency form number (s)		
Annual reporting and recordkeeping hour burden		
Number of respondents		
Total annual responses		
Percent of these responses collected electronically	%	%
Total annual hours		
Difference		
Explanation of difference		
Program change		
Adjustment		
Annual reporting and recordkeeping cost burden (in thousands of dollars)		
Total annualized Capital/Startup costs		
Total annual costs (O&M)		
Total annualized cost requested		
Difference		
Explanation of difference		
Program change		
Adjustment		
Other changes**		
Signature of Senior Official or designee:	Date:	For OIRA Use _____ _____

** This form cannot be used to extend an expiration date.