

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 12/15/2010

Department of Commerce
National Oceanic and Atmospheric Administration
FOR CERTIFYING OFFICIAL: Simon Szykman
FOR CLEARANCE OFFICER: Diana Hynek

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 12/15/2010

ACTION REQUESTED: Revision of a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 201012-0648-015
AGENCY ICR TRACKING NUMBER:
TITLE: West Coast Groundfish Trawl Economic Data
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0618

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: 11/30/2013

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	0	0	0
New	357	2,856	7,140
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	357	2,856	7,140
Change due to Agency Adjustment	0	0	0
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official:

Kevin F. Neyland
Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Economic data collections for catcher vessels, catcher-processors, motherships and first receivers	NA, NA, NA, NA	First Receiver and Shorebased Processor Economic Data Collection, Catcher Vessel Economic Data Collection, Catcher/Processor Economic Data Collection, Mothership Economic Data Collection	

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) (<i>if applicable</i>)	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT
WEST COAST GROUND FISH TRAWL ECONOMIC DATA
OMB CONTROL NO. 0648-xxxx**

A. JUSTIFICATION

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

This request is for a new information collection.

Participants in the West Coast groundfish trawl fishery managed by the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS), who must have a limited entry permit with a trawl endorsement, account for about 70% of groundfish landings (by revenue) on the West Coast of the United States (US). The fishery includes an at-sea whiting component (vessels which harvest and process whiting at sea), a shorebased whiting component (vessels which harvest whiting and deliver to shorebased processors), and a non-whiting groundfish component (all non-whiting groundfish is delivered by catcher vessels to first receivers or shorebased processors). The data collection program described in this document is designed to meet the requirements of the Pacific Fisheries Management Council's (PFMC) call for mandatory data collection as part of the implementation of individual fishing quota (IFQ) management in the West Coast groundfish trawl fishery. This mandatory data collection program is needed to meet the monitoring requirements of Section 303A(c)(1)(G) of the [Magnuson-Stevens Act](#) (MSA).

The limited entry trawl groundfish fishery is currently managed under a system of two-month trip limits by species, area restrictions, and gear restrictions. In January 2011, management of the groundfish trawl fishery will undergo dramatic change, with the current system of two month landing limits replaced by a IFQ (also referred to as limited access privilege program - LAPP) management regime. Participants in the at-sea whiting program will be able to form cooperatives for allocating harvest quota for whiting.

This change in regulation and MSA requirements for monitoring of LAPP programs makes the existing voluntary cost earnings data collection program in the limited entry trawl fishery inadequate. NMFS, in cooperation with the Pacific States Marine Fisheries Commission (PSMFC), has conducted two voluntary cost earnings surveys of catcher vessels delivering groundfish (including whiting) to shoreside processors. The first survey collected 2003 and 2004 data through in-person interviews from a census of limited entry trawl catcher vessel owners who made shoreside landings. The second survey collected 2007 and 2008 data from the same survey population during 2009.¹ These two surveys used similar questionnaires and fielding protocol, and each obtained a responses rate between 65% and 70%. The NMFS and PSMFC have not conducted economic cost earnings surveys of vessels participating in the at sea whiting fishery (catcher vessels who do not also deliver to shoreside processors, motherships, catcher-processors), or first receivers and shorebased processors.

¹ Both previous limited entry of the limited entry trawl catcher vessels delivering to shoreside processors were conducted under OMB Control No. 0648-0369.

Early in its consideration of an IFQ management regime for the West Coast groundfish trawl fishery, the PFMC enumerated goals for the program. These goals include:

- 1) Provide for a viable, profitable, and efficient groundfish fishery.
- 2) Increase operational flexibility.
- 3) Minimize adverse effects from an IFQ program on fishing communities and other fisheries to the extent practical.
- 4) Promote measurable economic and employment benefits through the seafood catching, processing, distribution elements, and support sectors of the industry.
- 5) Provide quality product for the consumer.
- 6) Increase safety in the fishery.

These goals are an important consideration in the development of the data collection program, as the MSA includes provisions for monitoring the progress of catch share programs in meeting program goals. Section 303A(c)(1)(G) states that any limited access permit program (LAPP) shall:

include provisions for the regular monitoring and review by the Council and the Secretary of the operations of the program, including determining progress in meeting the goals of the program and this Act, and any necessary modification of the program to meet those goals, with a formal review 5 years after the implementation of the program and thereafter to coincide with scheduled Council review of the relevant fishery management plan (but no less frequent than once every 7 years).

In order to meet the monitoring requirements of the MSA, it is necessary to have economic data on all harvesters, first receivers, and processors participating in the West Coast groundfish fishery. This includes (i) catcher vessels (delivering to shoreside processors and/or motherships), (ii) motherships, (iii) catcher-processors, and (iv) first receivers/shorebased processors. A survey questionnaire has been developed for each of these four groups within the survey population.

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.

How Information Will Be Used

Information received from this survey will be used to calculate economic performance measures and support the regional economic impact model developed by the Northwest Fisheries Science Center (NWFSC): Input-Output Model for Pacific Coast Fisheries, or IO-PAC. While the calculation of some economic performance measures involves the use of statistical inference to develop values which are representative of the desired population (as even with mandatory data collection, there may be a few non-respondents) and the development of other economic performance measures requires the development of economic and econometric models. Examples of economic performance measures for vessels harvesting fish based on statistical inference of survey variables include calculation of expenditures for each input, calculation of total costs incurred when operating the vessel (which include not only expenditures for inputs but also other

expenditures such as the purchase/leasing of permits and quota), calculation of total revenue earned through operation of the vessel, quasi-rent (total revenue minus variable costs) earned by the vessel, vessel operating characteristics (speed and fuel use), crew size, and crew compensation methods (what share of revenue is paid to the crew and which expenses are deducted from landings revenue before the crew is paid). Performance measures which require the estimation of economic models using the data collected by the survey include efficiency of operation and average cost curves for different length vessels (which provide the level of harvest output at which a specific length vessel minimizes its cost per pound of fish landed).

Many of these performance measures have been estimated using data from the two voluntary cost earnings surveys already conducted with the limited entry trawl fleet of catcher vessels. Data from the first survey was used to analyze the expected effect of implementing a catch share program on the number of vessels, harvesting costs, economic rent, and profits earned by members of limited entry trawl fleet. This analysis has been published in the *Journal of Marine Economics* and provides the economic analysis used in the Environmental Impact Statement being prepared as part of the catch share implementation process.²

Data from the voluntary cost earnings surveys of the limited entry trawl fleet has also provided expenditure data used in the IO-PAC developed by the NWFSC. Cost earnings survey data provides data on vessel expenditures by cost category (captain, crew, fuel, etc.) which drives the estimates of how changes in landings affect coastal economies. Estimates from IO-PAC are used in the PFMC's annual groundfish specifications process, which sets allowable landings levels by groundfish species and gear type.

While data collected through voluntary surveys of the catcher vessels participating in the limited entry trawl fishery have allowed NWFSC economists to perform analysis used in fisheries management and published in peer reviewed journals, the scope of analysis has been constrained by not having data on processors as well as all harvesters. The mandatory surveys presented in this request will not only allow the type of analysis which has already been performed to be continued, but will allow expanded analysis due to the availability of data for the processing as well as the harvesting sector. Because survey plans call for collecting two years (2009 and 2010) of data prior to the implementation of catch share management as well as data on an annual basis after the implementation of catch share management, it will be possible to determine how the implementation of catch share management has affected the size and distribution of economic benefits accruing to the harvesting and processing sectors in the limited entry trawl groundfish fishery as well as regional economic impacts.

Who Will Use the Data

Information collected in this data collection will be used by economists at the NWFSC and their contractors. While some analysis performed by contractors will require that they have access to survey data for individual vessels or processing plants, all identifying information (such as vessel ID, owners name, vessel name, processing plant address, etc.) will be removed from the data before it is provided to contractors hired by the NWFSC. Individual vessel and processing plant

² See Lian, C., R. Singh, and Q. Weninger, Fleet Restructuring, Rent Generation, and the Design of Individual Fishing Quota Programs: Empirical Evidence from the Pacific Coast Groundfish Fishery, *Marine Resource Economics*, Volume 24, Number 4, January 2010, pp. 329-359 for this analysis.

data with the identifying variables removed will be distributed to contractors hired by the NWFSC when necessary to complete work required of NMFS. Summaries of the data will be produced each year and made available to the general public. These summaries will contain aggregated data (with each variable provided to the public based on responses received from at least three distinct economic units).

How Frequently Will the Information be Used?

Performance measures will be calculated and inputs for the IO-PAC regional economic model will be updated annually. In the early years of the catch share program, the NMFS expects to prepare annual reports with summary statistics for cost categories, sources of revenue, quasi-rents, and the share of fishery economic benefits accruing to various economic agents operating within the fishery (vessel owners, captain, crew, processing plant owners, and processing plant employees). Information on expenditures by harvesters and processors will also be incorporated into the NWFSC's IO-PAC regional economic model on an annual basis. The performance measures prepared on an annual basis will also be used to determine if the IFQ program is meeting the goals identified by the PFMC.

Economists at the NMFS also expect to continue a research program examining the impact of catch share programs on fleet structure, production costs, employment, generation and distribution of economic rent, and regional economic impacts. This work will be done on an on-going basis, with analytical results updated as new data becomes available. Results from this project will be used in the PFMC management process and may be published in peer reviewed journals.

For What Purposes Will Survey Information Be Used?

Data will be collected to monitor the economic impact of implementing an IFQ management regime as well as to answer other economic questions which require knowledge of the costs, revenues, physical characteristics, and compensation methods used by harvesters and processors in the West Coast limited entry trawl groundfish fishery. Meeting the monitoring requirements enumerated in section 303A.(c)(1)(G) of the MSA will require NWFSC economists to determine the efficiency of operations, whether operations are exhibiting economies or diseconomies of scale, expenditures on inputs including labor and (for harvesting vessels) fuel, quasi-rents (the difference between revenue and variable costs), and economic impacts on fishing communities. Data collected under this collection will be used in developing the report on catch share management impacts which is legally mandated after 5 years of catch share management by the MSA. Analysis based on this data will not only meet legal requirements, but will also provide information to guide the PFMC in making decisions regarding revisions to the structure of the catch share system used to manage the West Coast limited entry groundfish trawl fishery.

As explained in the preceding paragraphs, the information gathered has utility. NOAA will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

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.

Survey questionnaires will be submitted on paper. Electronic submission of questionnaires will not be an option for survey respondents. Discussions with members of the survey population revealed low interest in electronic submission of Electronic Data Collection (EDC) forms.

While the EDC form will be submitted on paper, the form will be available for downloading, filling and printing on the NWFSC website (www.nwfsc.noaa.gov). The four EDCs for catcher vessels, motherships, catcher-processors, and first receivers/shorebased processors will be posted on the website. Summaries of survey results presenting cost, revenue, physical characteristics, and input compensation methods will also be posted annually on the NWFSC website.

4. Describe efforts to identify duplication.

The four questionnaires developed for different groups (catcher vessels, catcher-processors, motherships, and first receivers/shorebased processors) within the survey population build upon the questionnaire used by the NMFS for two previous voluntary surveys of catcher vessels making shoreside deliveries in the West Coast limited entry trawl fishery. Like those earlier voluntary questionnaires, these four questionnaires have been reviewed with personnel from the NWFSC, the Northwest Regional Office (NWR), Pacific States Marine Fisheries Commission (PSMRC), and industry participants. Five years of experience using data from the two previous voluntary surveys has not revealed any duplication of data available from other sources. Extensive review of the questionnaires with owners of catcher vessels, catcher-processors, motherships, and first receivers/shorebased processors has not revealed any questions on the questionnaires which could be answered through the use of existing data sources.

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

Based on available information, the NMFS believes that all of the catcher vessels in the survey population qualify as small businesses. Existing (non-survey) data sources do not provide information on all potential revenue sources for catcher vessels participating in the West Coast limited entry trawl fishery (in particular, NWFSC staff do not have access to revenue data from Alaska fisheries). However, survey responses to two previous voluntary surveys of catcher vessels delivering to shoreside processors indicate that all of these vessels are small businesses. Revenue data is not available for all operations (West Coast and Alaska) of catcher-processors and motherships. Similarly, revenue data is not currently available for individual shoreside processing plants.

Two methods have been used to minimize survey burden on all members of the survey population, including small businesses. First, survey design has sought to avoid duplication of data collection (discussed in the response to Question 4). Second, NMFS economists have met with industry participants to discuss all four questionnaires. These discussions have focused on making questions easily understandable and consistent with the record keeping practices of survey

respondents. These meeting with industry participants have resulted in numerous improvements in survey content and clarity.

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

Failure to conduct this survey would limit NMFS economists to using currently available data in order to monitor the impact of the catch share management. While it would still be possible to monitor changes in revenue earned by catcher vessels, there would be no information available on production costs or on the processing sector. No evaluation of the economic benefits, distributional impacts, or efficiency effects of catch share management could be made. It would not be possible to evaluate if catch share management was achieving many of the goals identified by the PFMC. As a result, MSA monitoring requirements as stated in section 303A(c)(1)(G) could not be met.

In addition to not being able to meet MSA monitoring requirements, NMFS economists would not be able to produce analysis evaluating the need for modifications to catch share program design and regulation. For example, evaluating the potential need to revise caps on quota share or quota pound accumulation requires knowledge of how much fish vessels of different sizes (lengths) must harvest in order to minimize cost per pound of fish harvested. In order to determine the level of catch at which a vessel minimizes cost per pound, it is necessary to have the cost data collected by this survey. With this cost data, NMFS economists can advise the PFMC on the catch levels and quota accumulation limits needed to minimize harvesting costs.

Conducting data collection less frequently would slow the delivery of results from the economic monitoring process. Even with annual data collection, the evaluation results of regulatory changes made at the beginning of 2011 will not be available until the end of 2012. Collection of data for 2011 will not occur until mid-2012 (discussions with industry participants emphasized the importance of collecting economic data after industry participants have prepared data for tax filings), and the data verification and matching (with other data sources which provide data used in conjunction with the cost earnings data collected by this survey) process will take additional time. As a result, the economic impact of a regulatory change that takes effect at the beginning of 2011 is not known until the end of 2012 even with annual data collection. If economic analysis of the cost earnings data indicates unanticipated consequences of the regulatory change, additional time is needed in the Council process to discuss and recommend regulatory changes. The consequence of collecting cost earnings data less frequently than the annual basis proposed in this filing is to allow unanticipated consequences of regulatory changes to persist for needlessly extended periods of time.

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

This information collection is consistent with OMB guidelines.

8. Provide information on 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.

This request is being submitted in associated with Proposed Rule 0648-AY68, which will be published for public comment coincident with this request.

As stated in Question 5, NMFS economists have met with industry participants to discuss all four questionnaires.

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

No payments or gifts will be provided to survey respondents.

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

As stated on the forms, responses to this information request are confidential under 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*). They are also confidential under [NOAA Administrative Order 216-100](#), which sets forth procedures to protect the confidentiality of fishery statistics.

The NMFS will not publish any numbers based on fewer than three survey responses in papers, reports, presentations, or other public documents. Only NWFSC employees will have access to the survey data with information that can be used to identify individual respondents (vessel ID number, owner name, owner address, etc.). Consultants hired by the NMFS may have access to individual observations in the survey data, but only with all variables removed from the data set that identify the respondent (such as vessel Coast Guard ID, vessel name, vessel owner's name, vessel owner's contact information, processing plant address). In the case of a Freedom of Information Act (FOIA) request for the data, the NMFS will seek to protect the data from release through Exemption 4 by noting the data is confidential and highly sensitive business data.

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.

No sensitive questions of a personal nature will be asked.

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

The survey population includes (based on 2009 data) 168 catcher vessels, 9 catcher-processors, 7 motherships, and 84 first receivers/shoreside processors. These 268 members of the survey

population will each need 8 hours to complete the EDC for one year of data. As a result, collecting historical data from one previous year will require a total of 2,144 hours to complete all 268 EDC forms. During 2011, each of the 268 members of the survey population will be required to submit an EDC for 2009 and an EDC for 2010. A total of 4,288 burden hours (2,144 x 2) will be required by all survey respondents during 2011 to complete an EDC with 2009 data and an EDC with 2010 data. During 2012, each of the 268 members of the survey population will be required to submit and EDC for 2011 data, a total of 2,144 burden hours. During 2013, each of the 268 members of the survey population will be required to submit an EDC with 2012 data, a total of 2,144 burden hours. **Each year, 268 unduplicated respondents will submit reports. Annualized responses will be $536 + 268 + 268 = 1,072/3 = 357$. Annualized burden hours over the three-year period will be 357×8 (reporting: 7 hours and 45 minutes and recordkeeping, 15 minutes) = 2,856.**

Labor Costs

Previous experience with voluntary cost earnings surveys of catcher vessel owners and discussions with industry participants during the development of these mandatory questionnaires indicates that catcher vessel economic data collections (EDCs) will typically be filled out by the vessel owner. However, staff accountants will typically fill out EDCs for motherships, catcher-processors, and shorebased processing plants.

The most recent voluntary cost earnings survey of the limited entry groundfish trawl fleet conducted by the NMFS indicated that the average annual captain salary was \$81,100. This is equal to \$38.99 per hour for a 2,080 hour work year. As a result, the cost to catcher vessels of having the captain (who is usually the vessel owner) spend 8 hours to complete the survey is \$311.92. The 168 catcher vessels will spend a total of \$52,403 on labor costs to complete EDC forms for a single year of data collection. In 2011, when data for 2009 and 2010 is collected, the labor cost to catcher vessels will be \$104,806. In 2012, when data for 2011 is collected, the labor cost to catcher vessels will be \$52,403. In 2013, when data for 2012 is collected, the labor cost to catcher vessels will be \$52,403.

The average accountant earns a salary of \$56,651, which is equal to \$27.24 per hour.³ There are 100 motherships, catcher-processors, and first receivers/shorebased processors who will use 8 hours of accountant labor each to complete this survey. Each of the 100 motherships, catcher-processors, and first-receivers/shorebased processors will spend \$217.96 to complete the survey. In total, the 100 motherships, catcher-processors, and first receivers/shorebased processors will spend \$21,796 in labor costs to complete ECD forms for one year of data submission. In 2011, preparing EDC forms for 2009 and 2010 will cost a total of \$43,592. In 2012, preparing EDC forms for 2011 will cost motherships, catcher-processors, and first-receivers/shorebased processors a total of \$21,796. In 2013, preparing EDC forms for 2012 will cost motherships, catcher-processors, and first receivers/shorebased processors a total of \$21,796.

Total labor expenses for catcher vessels, catcher-processors, motherships, and first receivers/shorebased processors will be \$148,398 in 2011, \$74,199 in 2012, and \$74,199 in 2013. **Over the three years of data collection, the average annual labor cost to survey respondents is \$98,932.**

³ Information on the average accountant salary is taken from the U.S. Census American Community Survey for 2008.

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).

The only costs not covered in Question 12 are those for making copies of EDC documents, retaining copies of EDC documents (survey respondents are requested to retain a copy of the completed EDC form), and mailing the completed EDC to the NWFSC. These costs are expected to be \$20 per EDC form submitted. Total costs of copying and submitting EDC forms for all respondents will be \$10,720 (\$20 x 2 x 268) in 2011, \$5,360 (\$20 x 268) in 2012, and \$5,360 (\$20 x 268) in 2013. **During the three year period from covered by this request, the annual average expenditure by all survey respondents for copying, storage, and mailing is $357 \times \$20 = \$7,140$.**

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

The NMFS expects to hire one new employee as a result of this mandatory data collection. This new employee will work full time on data collection, verification, and analysis for the West Coast limited entry trawl groundfish survey. Assuming an annual salary of \$65,000 and a 40% benefit load, this employee will cost the federal government \$91,000 annually for salary and benefits. Annual costs for printing and mailing related to the survey are expected to be \$2000. The total annual costs incurred by the federal government as a result of implementing this survey are thus \$93,000.

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

This is a new collection.

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

NMFS is requiring submission of the EDC by September 1 of each year. The NMFS expects to have a public report available by the following June 1. This report will summarize information collected on costs by category, earnings by category, vessel and plant physical characteristics, and compensation to labor inputs (crew on vessels and line workers in processing plants). All reported values will be based on responses from at least three different economic entities so as to preserve confidentiality.

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.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used. Data on the number of entities (e.g. establishments, State and local governmental units, households, or persons) in the universe and the corresponding sample are to be provided in tabular form. The tabulation must also include expected response rates for the collection as a whole. If the collection has been conducted before, provide the actual response rate achieved.

Description of the Respondent Universe

The objective of this survey is to collect economic cost earnings data from all harvesters, first receivers, and processors participating in the West Coast groundfish trawl fishery on an annual basis. The survey population includes catcher vessels, catcher-processors, motherships, and first receivers/shorebased processors. Each of these four groups will receive a unique survey questionnaire, and has a survey population defined on the basis of available fishery participation and contact information.

The survey will be a census of the survey population. As explained in the following paragraphs, the survey population included 268 entities in 2009. There is no sampling of the survey population. Submission of a survey response is mandatory for all members of the survey population.

The survey population for catcher vessels is defined as all owners, lessees, and charterers of a unique catcher vessel registered to a limited entry trawl permit at any time during the survey period for which data is being collected. This definition covers both catcher vessels making shoreside landings and catcher vessels delivering to motherships. This definition is used for both the pre-IFQ period (2009 and 2010) and the post-IFQ period (2011 and subsequent years). There were 168 members of the catcher vessel survey population in 2009. Catcher vessels exhibit a wide variety of target groundfish species, and often operate in other West Coast fisheries such as crab and shrimp as well as the groundfish fishery. In a typical year, about 25 of these vessels also operate in Alaska fisheries.

The survey population for catcher-processors during the pre-IFQ period is all owners, lessees, and charterers of a catcher-processor vessel that harvested whiting during the year for which data is being collected (2009 or 2010) as recorded in NMFS' North Pacific Fisheries Information Network (NORPAC) database. There were 9 catcher-processor vessels in 2009. After the implementation of IFQ management, the survey population for catcher-processors will be defined as all owners, lessees, and charterers of a catcher-processor vessel registered to a catcher-processor permit at any time during the year for which data is being collected. Catcher-processors typically operate in only the whiting fishery on the West Coast, and also operate in Alaska fisheries.

The survey population for motherships during the pre-IFQ period is all owners, lessees, and charterers of a mothership vessel that received whiting in 2009 or 2010 as recorded in NMFS' NORPAC database. There were 7 motherships during 2009. The survey population of motherships during the post-IFQ period is all owners, lessees, and charterers of a mothership vessel registered to a MS permit at any time in during the year for which data is being collected.

Motherships typically operate in only the whiting fishery on the West Coast, and also operate in Alaska fisheries.

The survey population for first receivers/shorebased processors during the pre-IFQ period is defined as all owners and lessees of a shorebased processor and all buyers that received groundfish (including whiting) harvested with a limited entry trawl permit as listed in the PacFIN database during the year for which data is being collected. There were 84 members of the first receiver/shoreside processor survey population in 2009. The survey population for first receivers/shorebased processors during the post-IFQ period is defined as all owners of a first receivers license and all owners and lessees of a shore-based processor that received round or headed-and-gutted IFQ species groundfish (including whiting) from a first receiver in the year for which data is being collected.

Survey Population, Survey Sample, and Response Rates

Because this data collection is a mandatory survey with significant penalties for non-compliance a 100% response rate is expected. This is the first mandatory cost earnings survey of the West Coast limited entry trawl fleet catcher vessels. Two previous voluntary cost earnings surveys of the limited entry trawl fleet catcher vessels have been conducted by the NMFS in cooperation with the PSMFC. The first economic survey of the limited entry trawl catcher vessels was conducted in 2005-6 by the NMFS in cooperation with the PSMFC, and achieved a response rate of 69%. This survey collected data through in-person interviews rather than a mail questionnaire, had the endorsement of the two leading industry groups, and utilized a relatively short four page questionnaire. The second survey of the limited entry trawl catcher vessels was conducted during 2009 using the same fielding protocol as the first survey, and achieved a response rate of 67%.

Table 1 --- Population and Commercial Fish Landings for all West Coast Fishing Engaged Communities

Survey Group	Population (2009)	Sample	Response Rate
Catcher Vessels	168	168	100%
Catcher-Processors	9	9	100%
Motherships	7	7	100%
Shoreside Processors	84	84	100%
Totals	268	268	

This mandatory survey will be the first economic survey of the catcher-processors, motherships, and shoreside-processors. A survey of the shoreside processors was developed and received PRA approval in 2007, but was not fielded when developments in the IFQ program design convinced NMFS to wait for mandatory economic data collection.

2. Describe the procedures for the collection, including: the statistical methodology for stratification and sample selection; the estimation procedure; the degree of accuracy needed for the purpose described in the justification; any unusual problems requiring specialized sampling procedures; and any use of periodic (less frequent than annual) data collection cycles to reduce burden.

There is no stratification and sample selection in the survey design. All members of the survey population are being surveyed. There are four different questionnaires that are being used based on whether the respondent operates a catcher vessel, catcher-processor, mothership, or first receiver/shore-based processing plant. Within each of these four groups, all members of the survey population would be required to complete the questionnaire.

NMFS needs to measure the economic performance of harvesters, first receivers, and processors operating in the West Coast groundfish trawl fishery in order to meet legal and regulatory requirements, support fisheries management decision making, and undertake economic research. Currently available cost earnings data from non-survey sources is very limited and does not meet these needs. This survey collect the data that is needed (but not currently available from other sources) to construct key economic performance measures such as quasi-rents (revenues less variable costs), capacity utilization, efficiency, economies of scale, as well as economic models such as regional economic impacting and econometric models. The data gathered and performance measures constructed will be used to address a wide range of issues; these issues include (but are not limited to) the economic effects of the IFQ program on fishery participants, regional economies, and net benefits to the nation, as well as how the distribution of those measure may have changed. While the data will be used to comply with legal and regulatory requirements, these requirements do not specify a level of data accuracy.

Much of the data requested will be used to compute total (or average) revenue, cost (by revenue or cost category as specified in the questionnaires), and quasi-rents. This information is useful in and of itself to help understand the economic condition of the fishery and how it may have changed. Such data summaries are the type of information that fishery managers, participants and the public commonly wish to have provided. These data summaries will also be used in a regional economic impact model that has been developed by the NWFSC. A basic input to this model is the average cost (by cost category) as a percentage of revenue. The output of the regional economic impact model is used by NMFS and the Council to report on the economic contribution of the fishery to regional economies.

To understand the relationships between the quasi-rents (revenue minus variable costs) and the variables we collect that affect total or average quasi-rents, econometric models will be used. NWFSC analysts will use the data contained within the completed EDCs to construct statistical models that characterize the determinants and factors affecting the costs and revenues of vessels, first receivers and processors. The benefit of using statistical models to characterize the relationship between costs or revenues and the factors that influence them is that the models may initially be used to analyze the way in which economic performance changes after the immediate implementation of the program. If the Council makes adjustments to the program at a later date, analysts will be able to observe the changes in quasi-rents not attributable to the factors that have historically been the predominant statistical determinants to draw conclusions about the impact of the adjustments. That is, these statistical techniques can be used to disentangle the influence of

particular economic variables on quasi-rents from “policy” or “management” variables that change directly as a result of managers’ choices over policies or regulations. Examples of economic variables would be the prices of fuel, materials, or other inputs used in fishing and processing.

The data collected in the EDCs will be used to develop cost and quasi-rent functions that characterize the relationships between fishing and processing activities and their economic impacts. In order to estimate such functions one needs individual observations on vessel or processor variable costs of operation and gross earnings. These variables will form the basis for the dependent part of the statistical model, while the other data collected on input quantities, catch, and prices will be used as exogenous variables. The analysts will determine the exact specification of the cost and quasi-rent functions based upon the questions desired by fishery managers, the number of observations available, and the perceived quality or accuracy of the collected data.

3. Describe the methods used to maximize response rates and to deal with nonresponse. The accuracy and reliability of the information collected must be shown to be adequate for the intended uses. For collections based on sampling, a special justification must be provided if they will not yield "reliable" data that can be generalized to the universe studied.

While this is a mandatory survey, key measures have been taken to maximize response to the survey and the quality of data provided. First, the survey questionnaire has been kept as short as possible while still meeting the needs of NMFS to meet MSA monitoring requirements, provide advice to the NMFS on the economic effects of catch share management, and perform economic research. Second, NMFS economists have held meetings with the owners of catcher vessels, catcher-processors, motherships, and shoreside processors to insure that questions are understandable and ask for data in format that is readily available to survey respondents. Discussions were also held with industry groups at PFMC meetings to solicit additional feedback on questionnaires in an environment where many survey respondents can simultaneously participate in the discussion. Third, the questionnaires will be mailed to members of the survey population soon after the April 15 federal tax filing date. Discussions with industry participants indicated that they would prefer receiving the questionnaire after completing their federal tax filing, when much of the financial information needed to complete the questionnaire would already be at hand. All of these questionnaires have undergone substantial revision as a result of discussions with industry participants. Finally, the NWFSC will make reminder telephone calls to members of the survey population who have not yet submitted an EDC about one month before the survey due date of September 1.

Since these are mandatory surveys, non-response bias is not expected to be a major issue in data analysis. Nevertheless, those variables which are available for both respondents and non-respondents (such as pounds of landings, revenue from landings, and vessel physical characteristics) will be used to compare respondents and non-respondents in cases where some responses are not available for any reason. Procedures used to test for non-response bias may include two sample t tests for normally distributed variables and permutation tests for any variables found to have a non-normal distribution. In cases where non-response bias is detected, appropriate procedures will be used to adjust survey responses for the non-response bias.

4. Describe any tests of procedures or methods to be undertaken. Tests are encouraged as effective means to refine collections, but if ten or more test respondents are involved OMB must give prior approval.

NMFS economists have met with members of the populations that will receive each of the four survey questionnaires. These meetings have included a question by question discussion of draft questionnaires to (1) insure that the question is clearly understandable and (2) the data requested is readily available to survey respondents. In addition, the questionnaires provided with this filing were distributed to advisory groups at the June 2010 PFMC meeting for discussion.

5. Provide the name and telephone number of individuals consulted on the statistical aspects of the design, and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.

Todd Lee, Ph.D.
Manager, Economics Group
Northwest Fisheries Science Center
206-302-2436

Carl Lian, Ph.D.
Economist
Northwest Fisheries Science Center
206-302-2414

Jerry Leonard
Economist
Northwest Fisheries Science Center
206-302-1742

Leif Anderson, Ph.D.
Economist
Northwest Fisheries Science Center
206-302-2403



Economic Data Collection Program
National Marine Fisheries Service
Northwest Fisheries Science Center
FRAM Division
2725 Montlake Blvd E.
Seattle, WA 98112

Dear Mr. Charles Smith

Our records indicate that you may be required to complete an Economic Data Collection (EDC) questionnaire. All owners, lessees, and charterers of a catcher vessel registered to a limited entry trawl endorsed permit at any time in 2010 are required to file an EDC. If you are required under the regulations (50 CFR§660.114) to submit an EDC questionnaire, it must be completed and submitted to the Northwest Fisheries Science Center no later than September 1, 2011.

The EDC program is collecting information on the costs incurred and earnings generated from participants in the limited entry trawl fishery. Data collected will be used by NMFS to monitor changes in the economic performance of the West Coast groundfish trawl fishery, and will be used to meet the monitoring requirements for individual fishing quota (IFQ) managed fisheries. The data and related analysis will also be used to provide information to the Pacific Fisheries Management Council on changes in economic conditions within the fishery and the potential need for changes in fishery regulations associated with the IFQ program.

We appreciate the confidential nature of the data being collected by this survey. When publishing survey results, we will combine your responses with information provided by other participants, and report it in summary form so that responses for any individual vessel cannot be identified. Responses to this survey are confidential under section 402(b) of the Magnuson-Stevens Act. They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect the confidentiality of fishery statistics. If a Freedom of Information Act (FOIA) request is received for the data collected by this survey, we will seek to protect the confidentiality of the survey responses under Exemption 4 of the FOIA.

After completing the questionnaire, you should return it to the Northwest Fisheries Science Center. The address is provided above. You will need to keep a copy of your completed questionnaire for your own records.

Sincerely,

Carl Lian
National Marine Fisheries Service
carl.lian@noaa.gov
(206)-302-2414



WEST COAST LIMITED ENTRY CATCHER VESSEL QUESTIONNAIRE 2011

NOAA Fisheries – Northwest Fisheries Science Center

Retain a completed copy of this questionnaire for your records.

I. Contact Information and Vessel Characteristics

1. Verify the following information on record about this vessel’s physical characteristics. If the information on record is correct, please place a check mark in the Corrections column. If the information on record is incorrect or there is no information on record, please provide the correct information in the Corrections column.

Item	Information on Record	Corrections
Vessel Name	<i>Vessel Name</i>	
USCG Vessel Number	<i>123456</i>	
Home Port	<i>Newport, OR</i>	
Length Overall (feet)	<i>80</i>	
Fuel Capacity (gallons)	<i>300</i>	
Total Horsepower of Main Engines	<i>500</i>	

2. Provide the contact information for the **owner of the vessel**.

Name of Company, Partnership, or Other Business Entity			
Business Mailing Address Street / PO Box		Business Phone ()	
		Business Fax ()	
City	State	Zip Code	Business Email

This form can be downloaded from <http://www.nwr.noaa.gov>.

If you have any questions, please contact us at (###) ###-#### or First.Last@noaa.gov.

Submit by 9/1/12 to EDC Program, FRAM Division, Northwest Fisheries Science Center, 2725 Montlake Blvd E, Seattle, WA 98112.

3. If the vessel was leased or bareboat chartered during 2011, provide the contact information for the **leaseholder or charterer of the vessel**.

Name of Company, Partnership, or Other Business Entity			
Business Mailing Address Street / PO Box			Business Phone ()
			Business Fax ()
City	State	Zip Code	Business Email

4. List the limited entry permit(s) used with this vessel during 2011 in the **West Coast** (Washington, Oregon, and California) fishery below.

Limited Entry Permit Number	Permit Owned or Leased? Owned Leased
Limited Entry Permit Number (2)	Permit Owned or Leased? Owned Leased
Limited Entry Permit Number (3)	Permit Owned or Leased? Owned Leased
Limited Entry Permit Number (4)	Permit Owned or Leased? Owned Leased

5. Provide the contact information for the **individual completing this report**. If your address, phone, and email are provided in the Owner or Leaseholder information above, you do not need to repeat them here but please provide your name and title.

Vessel Owner (or Designated Representative)			
Vessel Leaseholder or Charterer (or Designated Representative)			
Name		Title	
Business Mailing Address Street / PO Box			Business Phone ()
			Business Fax ()
City	State	Zip Code	Business Email

6. Did you harvest any fish using this vessel during the 2011 calendar year?

<p>Yes► <i>Complete and submit the <u>entire questionnaire</u> for your 2011 fiscal year.</i></p> <p>No► <i>Complete and submit the questionnaire <u>through this page only</u>.</i></p>
--

7. Read the following statement and sign and date the box below.

I certify under penalty of perjury that I have reviewed all the information in this questionnaire and that it is true and complete to the best of my knowledge.	
Signature	Date signed ____ / ____ / ____ mm dd yyyy

Please proceed to the next page if you harvested any fish in this vessel during 2011 ➡

8. Answer the following questions related to the most recent marine survey value of the vessel.

What was the year of this vessel's last value survey?	_____ yyyy
What was the <i>market value</i> of the vessel from the survey, rounded to the nearest 100 dollars?	\$ _____
What was the <i>replacement value</i> of the vessel from the survey, rounded to the nearest 100 dollars?	\$ _____
Did the survey values given above include the value of permits associated with the vessel at the time of the survey?	Yes No
Did the survey values given above include the value of quota associated with the vessel at the time of the survey?	Yes No
Did the survey values given above include the value of all fishing gear on the vessel at the time of the survey?	Yes No

9. For the remainder of the survey, report values from your 2011 fiscal year. On what day did this vessel's 2011 fiscal year begin?

____ / ____ mm dd

Please report values from your 2011 fiscal year for the remainder of this survey.

10. Was this vessel hauled out in 2011?

Yes No

11. Provide this vessel's average fuel use (for propulsion or other uses) per day, speed, and crew size (not including captain) when engaged in each of the following activities on the **West Coast** (Washington, Oregon, and California).

- Fuel use per day should be an average that includes steaming to the fishing grounds, harvesting fish, and steaming back to port and should include all fuels used for propulsion or other uses

Activity	Fuel Use	Speed While Fishing	Crew Size (not including captain)
West Coast groundfish trawl (not including whiting)	_____ gal/day	_____ knots/hr	_____
West Coast whiting trawl (not including other groundfish)	_____ gal/day	_____ knots/hr	_____
West Coast shrimp trawl	_____ gal/day	_____ knots/hr	_____
West Coast groundfish fixed gear	_____ gal/day		_____
West Coast crabbing	_____ gal/day		_____
West Coast halibut (Pacific or California)	_____ gal/day		_____
West Coast salmon	_____ gal/day	_____ knots/hr	_____
West Coast tuna	_____ gal/day	_____ knots/hr	_____
Steaming between the West Coast and Alaska	_____ gal/day	_____ knots/hr	_____

12. How many gallons of fuel did this vessel use (for propulsion or other uses) during 2011 on the **West Coast** (Washington, Oregon, and California)?
- exclude any steaming between the West Coast and Alaska

Type of Fuel	Gallons
Diesel	_____ gal
Other: _____	_____ gal

13. Provide the number of days this vessel was at sea during 2011 in each of the following activities. Please note that there is a special category for days at sea traveling between the West Coast and Alaska. (*This information will be used to allocate some expenditures among the different fisheries in which the vessel participated.*)
- count partial days as full days

Activity	Days at Sea
West Coast groundfish trawl (not including whiting)	_____ days
West Coast whiting trawl (not including other groundfish)	_____ days
West Coast shrimp trawl	_____ days
West Coast groundfish fixed gear	_____ days
West Coast crabbing	_____ days
West Coast halibut (Pacific or California)	_____ days
West Coast salmon	_____ days
West Coast tuna	_____ days
Chartering / Research	_____ days
Steaming between the West Coast and Alaska	_____ days
All Alaska and other fisheries	_____ days

14. Provide the number of **one-way** trips this vessel made steaming between the West Coast and Alaska during 2011.

_____ one-way trips

II. Capitalized Investments

15. Provide the 2011 **capitalized expenditures** associated with each of the following categories for this vessel. Note that some capitalized expenditures are asked for **all fisheries** (West Coast, Alaska and other) and others are asked only for the **West Coast** (Washington, Oregon, and California). Round all answers to the nearest 100 dollars. (*Capital investments on the vessel and gear shared across fisheries will be allocated to the West Coast based on days or tonnage*)

Capitalized Expenditure Category	Capitalized Expenditures in All Fisheries <i>West Coast, Alaska, and Other</i>	Capitalized Expenditures in All West Coast Fisheries
----------------------------------	---	--

Vessel and On-board Equipment

- exclude fishing gear and processing equipment
- include all electronics, safety equipment, and machinery not used to harvest fish

Capitalized expenditures on new and used vessel and on-board equipment	\$ _____	
--	----------	--

Fishing Gear

- include nets, doors, traps, pots, cables, and fishing machinery used for the West Coast fisheries
- exclude any fishing gear that is not used at least partially for the West Coast fisheries

Capitalized expenditures on fishing gear <u>used only for the West Coast fisheries</u>		\$ _____
--	--	----------

Capitalized expenditures on fishing gear <u>shared by the West Coast and other fisheries</u>	\$ _____	
--	----------	--

Processing Equipment

- include any equipment used to process or head and gut fish on-board the vessel

Capitalized expenditures on processing equipment <u>used only for the West Coast fisheries</u>		\$ _____
--	--	----------

Capitalized expenditures on processing equipment <u>shared by the West Coast and other fisheries</u>	\$ _____	
--	----------	--

III. Quota and Permit Expenses

16. Provide the total cost of quota shares, quota pounds, and catcher-processor permits purchased or leased during 2011 in the **West Coast** limited entry fishery.

Purchase or Lease of Quota and Permits	Total Cost
Purchase of quota shares	\$ _____
Lease of quota shares	\$ _____
Purchase of quota pounds	\$ _____
Lease of quota pounds	\$ _____
Purchase of limited entry trawl permit	\$ _____
Lease of limited entry trawl permit	\$ _____
Purchase of other West Coast permit	\$ _____
Lease of other West Coast permit	\$ _____

IV. Annual Expenses

17. Provide the total amount **expensed** during 2011 in each of the categories below. Note that some expenses are asked for **all fisheries** (West Coast, Alaska, and other) and some expenses are asked only for the **West Coast**. Round all answers to the nearest 100 dollars.

- If you do not track expenses for captain and crew separately, report the combined expenses under captain
- Include all chartering expenses, even if directly reimbursed

Expenses Category	Expenses in All Fisheries <i>All West Coast, Alaska, and Other</i>	Expenses in All West Coast Fisheries
Captain (include wages, bonuses, benefits, payroll taxes, and unemployment insurance)		\$ _____
Crew (include wages, bonuses, benefits, payroll taxes, and unemployment insurance)		\$ _____
Crew or captain travel not deducted from wages		\$ _____
Observer fees		\$ _____
Fishing association dues		\$ _____
Fuel and lubrication (do not include steaming between West Coast and Alaska)		\$ _____
Food		\$ _____
Ice		\$ _____
Bait		\$ _____
Freight to the vessel on supplies		\$ _____
Other supplies (cleaning, clothing, safety, etc.)		\$ _____
Communications		\$ _____
Off-load expenses (cross-dock fees, port tariffs, hoist fees, etc.)		\$ _____
Trucking of fish to buyer		\$ _____
Repair and maintenance on fishing gear <u>used only for the West Coast</u> (expensed during 2011)		
Repair and maintenance on fishing gear <u>shared by the West Coast and other fisheries</u> (expensed during 2011)	\$ _____	
Repair and maintenance on processing equipment (expensed during 2011)	\$ _____	

Expenses Category (continued)	Expenses in All Fisheries <i>All West Coast, Alaska, and Other</i>	Expenses in All West Coast Fisheries
Vessel and on-board equipment repair and maintenance (expensed during 2011)	\$ _____	
Insurance premium payments (hull and machinery, protection and indemnity, and pollution insurance)	\$ _____	
Moorage	\$ _____	
Lease or bareboat charter of this vessel	\$ _____	
Depreciation (vessel, on-board equipment, processing equipment, and quota share)	\$ _____	

18. Provide the total round weight of all fish landings made by this vessel in fisheries **outside the West Coast** (Alaska and other) during 2011. Round to the nearest 100 pounds. *(This information will be used to allocate some of your expenditures between the different fisheries you participate in)*

_____ lbs

19. Were any of the fish harvested by this vessel on the **West Coast** (Washington, Oregon, and California) during 2011 processed or headed and gutted on-board?

Yes	No
-----	----

Please proceed to the next page

V. Annual Earnings

20. For each of the earnings sources listed below, indicate the income earned during 2011.

- Landings should include taxes, buyback program fees, and post-season adjustments for fish harvested in 2011.
- Include direct reimbursements received for chartering

Earnings Source	Total Revenue
Landings and at-sea deliveries outside the West Coast (Alaska and other)	\$ _____
West Coast at-sea landings	\$ _____
Sale of West Coast limited entry trawl permits	\$ _____
Lease of West Coast limited entry trawl permits	\$ _____
Sale of other West Coast permits	\$ _____
Lease of other West Coast permits	\$ _____
Lease of West Coast limited entry quota shares	\$ _____
Sale of West Coast limited entry quota shares	\$ _____
Lease of West Coast limited entry quota pounds	\$ _____
Sale of West Coast limited entry quota pounds	\$ _____
Salmon disaster relief payments	\$ _____
Chartering / research / leasing vessel	\$ _____
Other: _____	\$ _____
Other: _____	\$ _____

VI. Crew Share

21. Did this vessel use a crew share system to pay its crew when operating in the **West Coast groundfish** fisheries during 2011?

Yes	No
-----	----

22. Which of the following expenses were deducted from total revenue before calculating the crew share when this vessel operated in the **West Coast groundfish** fisheries during 2011?

Expense Category	Deducted from Crew Share?	
	Yes	No
Crew or captain travel not deducted from wages	Yes	No
Observer fees	Yes	No
Fishing association dues	Yes	No
Fuel and lubrication	Yes	No
Food	Yes	No
Ice	Yes	No
Bait	Yes	No
Freight to the vessel on supplies	Yes	No
Other supplies	Yes	No
Communications	Yes	No
Off-load expenses	Yes	No
Trucking of fish to buyer	Yes	No
Repair and maintenance on fishing gear	Yes	No
Repair and maintenance on processing equipment	Yes	No
Vessel and on-board equipment repair and maintenance	Yes	No
Insurance premium payments	Yes	No
Moorage	Yes	No
Lease or charter of this vessel	Yes	No
Depreciation	Yes	No
Quota pounds held at the start of the year	Yes	No
Quota pounds purchased or leased during the year	Yes	No
Quota shares purchased or amortized during the year	Yes	No
Limited entry trawl permit	Yes	No
Other West Coast permit	Yes	No
Other: _____	Yes	No

23. On what percentage of fishing trips did the vessel owner serve as captain in the **West Coast groundfish** fisheries during 2011?

_____ %

24. On trips when the vessel owner served as captain, please indicate the share of net revenue (revenue minus the deductions listed in question 22) going to the vessel, captain, and crew.

Vessel share	_____ %
Captain share	_____ %
Crew share	_____ %

25. On trips when the vessel owner did not serve as captain, please indicate the share of net revenue going to the vessel, captain, and crew.

Vessel share	_____ %
Captain share	_____ %
Crew share	_____ %

Questionnaire Comments:

Public Reporting Burden Statement

Public reporting burden for this collection of information is estimated to take 8 hours per response, including time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden to Todd Lee, National Marine Fisheries Service, Northwest Fisheries Science Center, 2725 Montlake Blvd E, Seattle, WA 98112.

Additional Information

Before completing this form, please note the following: 1) Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number; 2) This information is mandatory and is required to manage commercial fishing efforts under 50 CFR part 660 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 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*). They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect the confidentiality of fishery statistics.



Economic Data Collection Program
National Marine Fisheries Service
Northwest Fisheries Science Center
FRAM Division
2725 Montlake Blvd E.
Seattle, WA 98112

Dear Mr. Charles Smith

Our records indicate that you may be required to complete an Economic Data Collection (EDC) questionnaire. All owners, lessees, and charterers of a catcher processor vessel that harvested whiting in 2010 as recorded in NMFS' NORPAC database are required to file an EDC. If you are required under the regulations (50CFR§ 660.114) to submit an EDC questionnaire, it must be completed and submitted to the Northwest Fisheries Science Center no later than September 1, 2011.

The EDC program is collecting information on the costs incurred and earnings generated from participants in the limited entry trawl fishery. Data collected will be used by NMFS to monitor changes in the economic performance of the West Coast groundfish trawl fishery, and will be used to meet the monitoring requirements for individual fishing quota (IFQ) managed fisheries. The data and related analysis will also be used to provide information to the Pacific Fisheries Management Council on changes in economic conditions within the fishery and the potential need for changes in fishery regulations associated with the IFQ program.

We appreciate the confidential nature of the data being collected by this survey. When publishing survey results, we will combine your responses with information provided by other participants, and report it in summary form so that responses for any individual vessel cannot be identified. Responses to this survey are confidential under section 402(b) of the Magnuson-Stevens Act. They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect the confidentiality of fishery statistics. If a Freedom of Information Act (FOIA) request is received for the data collected by this survey, we will seek to protect the confidentiality of the survey responses under Exemption 4 of the FOIA.

After completing the questionnaire, you should return it to the Northwest Fisheries Science Center. The address is provided above. You will need to keep a copy of your completed questionnaire for your own records.

Sincerely,

Carl Lian
National Marine Fisheries Service
carl.lian@noaa.gov
(206)-302-2414



WEST COAST LIMITED ENTRY TRAWL CATCHER-PROCESSOR VESSEL QUESTIONNAIRE 2011

NOAA Fisheries – Northwest Fisheries Science Center

Retain a completed copy of this questionnaire for your records.

I. Contact Information and Vessel Characteristics

1. Verify the following information on record about this vessel’s physical characteristics. If the information on record is correct, please place a check mark in the Corrections column. If the information on record is incorrect or there is no information on record, please provide the correct information in the Corrections column.

Item	Information on Record	Corrections
Vessel Name	<i>Vessel Name</i>	
USCG Vessel Number	<i>999999</i>	
Home Port	<i>Seattle, WA</i>	
Length Overall (feet)	<i>300</i>	
Fuel Capacity (gallons)	<i>No Information on Record</i>	
Horsepower of Main Engines	<i>8000</i>	

2. Provide the contact information for the **owner of the catcher-processor vessel**.

Name of Company, Partnership, or Other Business Entity			
Business Mailing Address Street / PO Box			Business Phone ()
			Business Fax ()
City	State	Zip Code	Business Email

This form can be downloaded from <http://www.nwr.noaa.gov>.

If you have any questions, please contact us at (###) ###-#### or First.Last@noaa.gov.

Submit by 9/1/12 to EDC Program, FRAM Division, Northwest Fisheries Science Center, 2725 Montlake Blvd E, Seattle, WA 98112.

3. If the vessel was leased or bareboat chartered during 2011, provide the contact information for the **leaseholder or charterer of the catcher-processor vessel**.

Name of Company, Partnership, or Other Business Entity			
Business Mailing Address Street / PO Box		Business Phone ()	
		Business Fax ()	
City	State	Zip Code	Business Email

4. List the catcher-processor endorsed limited entry trawl permit(s) used with this vessel during 2011 in the **West Coast** whiting fishery below. *West Coast* includes Washington, Oregon, and California.

Catcher-Processor Endorsed Permit	Permit Owned or Leased? Owned Leased
Catcher-Processor Endorsed Permit Number (2)	Permit Owned or Leased? Owned Leased
Catcher-Processor Endorsed Permit Number (3)	Permit Owned or Leased? Owned Leased

5. Provide the contact information for the **individual completing this report**. If your address, phone, and email are provided in the Owner or Leaseholder information above, you do not need to repeat them here but please provide your name and title.

Catcher-Processor Vessel Owner (or Designated Representative)			
Catcher-Processor Vessel Leaseholder or Charterer (or Designated Representative)			
Name		Title	
Business Mailing Address Street / PO Box		Business Phone ()	
		Business Fax ()	
City	State	Zip Code	Business Email

6. Did you harvest or process any fish using this catcher-processor vessel during the 2011 calendar year?

Yes▶ <i>Complete and submit the <u>entire questionnaire</u> for your 2011 fiscal year.</i>
No▶ <i>Complete and submit the questionnaire <u>through this page only</u>.</i>

7. Read the following statement and sign and date the box below.

I certify under penalty of perjury that I have reviewed all the information in this questionnaire and that it is true and complete to the best of my knowledge.	
Signature	Date signed ____ / ____ / ____ mm dd yyyy

Please proceed to the next page if you harvested or processed any fish in this catcher-processor vessel during 2011 ➡

8. Answer the following questions related to the most recent survey value of the vessel.

What was the year of this vessel's last value survey?	_____ yyyy
What was the <i>market value</i> of the vessel from the survey, rounded to the nearest 100 dollars?	\$ _____
What was the <i>replacement value</i> of the vessel from the survey, rounded to the nearest 100 dollars?	\$ _____
Did the survey values given above include the value of permits associated with the vessel at the time of the survey?	Yes No
Did the survey values given above include the value of quota associated with the vessel at the time of the survey?	Yes No
Did the survey values given above include the value of all processing equipment on the vessel at the time of the survey?	Yes No
Did the survey values given above include the value of all fishing gear on the vessel at the time of the survey?	Yes No

9. For the remainder of the survey, report values from your 2011 fiscal year. On what day did this vessel's 2011 fiscal year begin?

____ / ____ mm dd

Please report values from your 2011 fiscal year for the remainder of this survey.

10. Was this vessel hauled out in 2011?

Yes No

11. Provide this vessel's average fuel use per day (for propulsion or other uses) when engaged in each of the following activities.

- *West Coast* includes Washington, Oregon, and California.
- Fuel use should include all fuels used for propulsion or other uses

Activity	Fuel Use
Fishing, processing, and steaming in the West Coast whiting fishery	_____ gal/day
Steaming between the West Coast and Alaska	_____ gal/day

12. How many gallons of fuel did this vessel use (for propulsion or other uses) during 2011 in the **West Coast** whiting fishery?

- Please exclude any steaming between the West Coast and Alaska in these calculations.

Type of Fuel	Gallons
Diesel	_____ gal
Bunker oil	_____ gal
Fish oil	_____ gal

13. Provide the number of days this vessel was at sea during 2011 in each of the following activities. Please note that there is a special category for days at sea traveling between the West Coast and Alaska. (*This information will be used to allocate some of your expenditures between the West Coast and Alaska in order to avoid asking more detailed information about the vessel's activity in Alaska*)

- count partial days as full days

Activity	Days at Sea
Fishing and Processing in the West Coast whiting fishery	_____ days
Steaming in the West Coast whiting fishery	_____ days
Off-loading in the West Coast whiting fishery	_____ days
Steaming between the West Coast and Alaska	_____ days
All Alaska fisheries	_____ days

14. Provide the number of **one-way** trips this vessel made steaming between the West Coast and Alaska during 2011.

_____ one-way trips

15. Provide the average number of *processing* crew members and the average number of *non-processing* crew members (including the captain) when the vessel was operating in the **West Coast** whiting fishery during 2011.

- *Processing crew* includes line workers, fishmeal crew, quality control, technicians, cleanup, factory managers, mechanics who work on processing equipment, and combis
- *Non-processing crew* includes deckhands, wheelhouse, galley, and engineers

Fishery	Average Number of Processing Crew Members	Average Number of Non-processing Crew Members
West Coast whiting	_____	_____

II. Capitalized Investments

16. Provide the 2011 **capitalized expenditures** associated with each of the following categories for this vessel. Note that some capitalized expenditures are asked for **all fisheries** (West Coast, Alaska and other) and others are asked only for the **West Coast** whiting fishery. Round all answers to the nearest 100 dollars. (*Capital investments on the vessel and gear shared across fisheries will be allocated to the West Coast based on days or tonnage*)

Capitalized Expenditure Category	Capitalized Expenditures in All Fisheries <i>West Coast, Alaska, and Other</i>	Capitalized Expenditures in West Coast
----------------------------------	---	--

Vessel and On-board Equipment

- exclude processing equipment and fishing gear
- include all electronics, safety equipment, and machinery not used to harvest or process fish

Capitalized expenditures on new and used vessel and on-board equipment	\$ _____	
--	----------	--

Processing Equipment

- exclude all equipment, machines, and buildings based primarily on shore
- exclude any processing equipment that is not used at least partially in the West Coast whiting fishery
- include on-board freezers, storage equipment, packing equipment, conveyers, and on-board cargo handling equipment

Capitalized expenditures on processing equipment <u>used only in the West Coast whiting fishery</u>		\$ _____
---	--	----------

Capitalized expenditures on processing equipment <u>shared by the West Coast whiting and other fisheries</u>	\$ _____	
--	----------	--

Fishing Gear

- include nets, cables, doors, and fishing machinery used in the West Coast whiting fishery
- exclude any fishing gear that is not used at least partially in the West Coast whiting fishery

Capitalized expenditures on fishing gear <u>used only in the West Coast whiting fishery</u>		\$ _____
---	--	----------

Capitalized expenditures on fishing gear <u>shared by the West Coast whiting and other fisheries</u>	\$ _____	
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III. Quota and Permit Expenses

17. Provide the total cost of co-op shares and catcher-processor endorsed limited entry trawl permits purchased or leased during 2011 in the **West Coast** whiting fishery.

Purchase or Lease of Quota and Permits	Total Cost
Purchase of co-op shares	\$ _____
Lease of co-op shares	\$ _____
Purchase of catcher-processor endorsed permit	\$ _____
Lease of catcher-processor endorsed permit	\$ _____

IV. Annual Expenses

18. Provide the total amount **expensed** during 2011 in each of the categories below. Note that some expenses are asked for **all fisheries** (West Coast, Alaska and other) and some expenses are asked only for the **West Coast** whiting fishery. Round all answers to the nearest 100 dollars.

Expenses Category	Expenses in All Fisheries <i>West Coast, Alaska, and Other</i>	Expenses in West Coast
Processing crew (include wages, bonuses, benefits, payroll taxes, and unemployment insurance)		\$ _____
Non-processing crew (include wages, bonuses, benefits, payroll taxes, and unemployment insurance)		\$ _____
Crew travel not deducted from crew wages		\$ _____
Observer fees		\$ _____
Sea State data monitoring		\$ _____
Co-op membership fees		\$ _____
Marine Stewardship Council fees		\$ _____
Fuel and lubrication (do not include steaming between West Coast and Alaska)		\$ _____
Food		\$ _____
Non-fish ingredients (additives)		\$ _____
Packing materials		\$ _____
Freight to the vessel on supplies		\$ _____
Other supplies (linens, clothing, cleaning, etc.)		\$ _____
Communications		\$ _____
Off-load expenses (cross-dock fees, port tariffs, etc.)		\$ _____
On-board cargo / product insurance		\$ _____
Repair and maintenance on fishing gear <u>used only in the West Coast whiting fishery</u> (expensed in 2011)		
Repair and maintenance on fishing gear <u>shared by the West Coast whiting fishery and other fisheries</u> (expensed in 2011)	\$ _____	
Processing equipment repair and maintenance (expensed in 2011)	\$ _____	
Vessel and on-board equipment repair and maintenance (expensed in 2011)	\$ _____	

Expenses Category (continued)	Expenses in All Fisheries <i>West Coast, Alaska, and Other</i>	Expenses in West Coast
Insurance premium payments (hull and machinery, protection and indemnity, and pollution insurance)	\$ _____	
Moorage	\$ _____	
Lease or bareboat charter of this catcher-processor vessel	\$ _____	
Depreciation (vessel, on-board equipment, fishing gear, processing equipment, and quota share)	\$ _____	

19. Provide the total round weight of all fish processed by this catcher-processor vessel in **all fisheries** (West Coast, Alaska and other) during 2011. Round to the nearest metric ton. *(This information will be used to allocate some of your expenditures between the West Coast and Alaska in order to avoid asking more detailed information about the vessel's activity in Alaska)*

_____ mt

Please proceed to the next page 

V. Annual Earnings

20. Provide the total weight and value of production in the **West Coast** whiting fishery during 2011. Report weights to the nearest metric ton.
- Do not include any additional payment you received to cover any shipping, handling, or storage costs associated with the sale beyond the f.o.b. port of discharge.
 - Please include any post-season adjustments for products produced in 2011.
 - For products produced in 2011 and held in inventory at the end of the year, estimate the value on the basis of the average price received for similar products sold during the year.
 - Include products shipped to other establishments of your company.
 - Do not include revenue associated with fish caught in any fishery except the West Coast whiting fishery.

Type of Fish	Total Weight of Production	Total Value of Production
Whiting		
Surimi	_____ mt	\$ _____
Fillets	_____ mt	\$ _____
H&G	_____ mt	\$ _____
Round (unprocessed)	_____ mt	\$ _____
Fishmeal	_____ mt	\$ _____
Fish oil	_____ mt	\$ _____
Roe	_____ mt	\$ _____
Minced	_____ mt	\$ _____
Stomachs	_____ mt	\$ _____
Other: _____	_____ mt	\$ _____
Other Species		
All other species	_____ mt	\$ _____

21. Provide the percentage, by value, of all products off-loaded from this catcher-processor vessel in the **West Coast** whiting fishery at each of the following locations. Column sum should total 100%.

Location	Percentage of Total Off-load Value
Seattle	_____ %
Blaine / Bellingham	_____ %
Port Angeles	_____ %
Westport / Hoquiam	_____ %
Astoria	_____ %
Coos Bay	_____ %
At sea (tramper)	_____ %
Other: _____	_____ %

22. Provide the revenue received during 2011 from the sale or lease of **West Coast** whiting catcher-processor endorsed limited entry trawl permits that were associated with this vessel.

Sale / Lease of Permits	Revenue Received
Sale of West Coast catcher-processor endorsed permits	\$ _____
Lease of West Coast catcher-processor endorsed permits	\$ _____

23. Provide the revenue received during 2011 from the sale or lease of **West Coast** co-op shares.

Sale / Lease of Quota	Revenue Received
Sale of co-op shares	\$ _____
Lease of co-op shares	\$ _____

24. Provide the revenue received during 2011 from the lease or bareboat charter of this catcher-processor vessel.

\$ _____

Questionnaire Comments:

Public Reporting Burden Statement

Public reporting burden for this collection of information is estimated to take 8 hours per response, including time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden to Todd Lee, National Marine Fisheries Service, Northwest Fisheries Science Center, 2725 Montlake Blvd E, Seattle, WA 98112.

Additional Information

Before completing this form, please note the following: 1) Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number; 2) This information is mandatory and is required to manage commercial fishing efforts under 50 CFR part 660 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 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*). They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect the confidentiality of fishery statistics.



Economic Data Collection Program
National Marine Fisheries Service
Northwest Fisheries Science Center
FRAM Division
2725 Montlake Blvd E.
Seattle, WA 98112

Dear Mr. Charles Smith

Our records indicate that you may be required to complete an Economic Data Collection (EDC) questionnaire. All owners, lessees, and charterers of a mothership vessel that received whiting in 2010 as recorded in NMFS' NORPAC database are required to file an EDC. If you are required under the regulations (50 CFR§660.114) to submit an EDC questionnaire, it must be completed and submitted to the Northwest Fisheries Science Center no later than September 1, 2011.

The EDC program is collecting information on the costs incurred and earnings generated from participants in the limited entry trawl fishery. Data collected will be used by NMFS to monitor changes in the economic performance of the West Coast groundfish trawl fishery, and will be used to meet the monitoring requirements for individual fishing quota (IFQ) managed fisheries. The data and related analysis will also be used to provide information to the Pacific Fisheries Management Council on changes in economic conditions within the fishery and the potential need for changes in fishery regulations associated with the IFQ program.

We appreciate the confidential nature of the data being collected by this survey. When publishing survey results, we will combine your responses with information provided by other participants, and report it in summary form so that responses for any individual vessel cannot be identified. Responses to this survey are confidential under section 402(b) of the Magnuson-Stevens Act. They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect the confidentiality of fishery statistics. If a Freedom of Information Act (FOIA) request is received for the data collected by this survey, we will seek to protect the confidentiality of the survey responses under Exemption 4 of the FOIA.

After completing the questionnaire, you should return it to the Northwest Fisheries Science Center. The address is provided above. You will need to keep a copy of your completed questionnaire for your own records.

Sincerely,

Carl Lian
National Marine Fisheries Service
carl.lian@noaa.gov
(206)-302-2414



WEST COAST LIMITED ENTRY TRAWL MOTHERSHIP VESSEL QUESTIONNAIRE 2011

NOAA Fisheries – Northwest Fisheries Science Center

Retain a completed copy of this questionnaire for your records.

I. Contact Information and Vessel Characteristics

1. Verify the following information on record about this vessel’s physical characteristics. If the information on record is correct, please place a check mark in the Corrections column. If the information on record is incorrect or there is no information on record, please provide the correct information in the Corrections column.

Item	Information on Record	Corrections
Vessel Name	<i>Vessel Name</i>	
USCG Vessel Number	<i>999999</i>	
Home Port	<i>Seattle, WA</i>	
Length Overall (feet)	<i>300</i>	
Fuel Capacity (gallons)	<i>No Information on Record</i>	
Horsepower of Main Engines	<i>6,500</i>	

2. Provide the contact information for the **owner of the mothership vessel**.

Name of Company, Partnership, or Other Business Entity			
Business Mailing Address Street / PO Box		Business Phone ()	
		Business Fax ()	
City	State	Zip Code	Business Email

This form can be downloaded from <http://www.nwr.noaa.gov>.

If you have any questions, please contact us at (###) ###-#### or First.Last@noaa.gov.

Submit by 9/1/12 to EDC Program, FRAM Division, Northwest Fisheries Science Center, 2725 Montlake Blvd E, Seattle, WA 98112.

3. If the vessel was leased or bareboat chartered during 2011, provide the contact information for the **leaseholder or charterer of the mothership vessel**.

Name of Company, Partnership, or Other Business Entity			
Business Mailing Address Street / PO Box		Business Phone ()	
		Business Fax ()	
City	State	Zip Code	Business Email

4. List the mothership permit(s) used with this vessel during 2011 in the **West Coast** whiting fishery below. *West Coast* includes Washington, Oregon, and California.

Mothership Permit Number	Permit Owned or Leased? Owned Leased
Mothership Permit Number (2)	Permit Owned or Leased? Owned Leased
Mothership Permit Number (3)	Permit Owned or Leased? Owned Leased

5. Provide the contact information for the **individual completing this report**. If your address, phone, and email are provided in the Owner or Leaseholder information above, you do not need to repeat them here but please provide your name and title.

Mothership Vessel Owner (or Designated Representative)			
Mothership Vessel Leaseholder or Charterer (or Designated Representative)			
Name		Title	
Business Mailing Address Street / PO Box		Business Phone ()	
		Business Fax ()	
City	State	Zip Code	Business Email

6. Did you receive or process any fish using this mothership vessel during the 2011 calendar year?

Yes▶ <i>Complete and submit the <u>entire questionnaire</u> for your 2011 fiscal year.</i>
No▶ <i>Complete and submit the questionnaire <u>through this page only</u>.</i>

7. Read the following statement and sign and date the box below.

I certify under penalty of perjury that I have reviewed all the information in this questionnaire and that it is true and complete to the best of my knowledge.	
Signature	Date signed ____/____/____ mm dd yyyy

Please proceed to the next page if you received or processed any fish in this mothership vessel during 2011 ➡

8. Answer the following questions related to the most recent survey value of the vessel.

What was the year of this vessel's last value survey?	_____ yyyy
What was the <i>market value</i> of the vessel from the survey, rounded to the nearest 100 dollars?	\$ _____
What was the <i>replacement value</i> of the vessel from the survey, rounded to the nearest 100 dollars?	\$ _____
Did the survey values given above include the value of permits associated with the vessel at the time of the survey?	Yes No
Did the survey values given above include the value of quota associated with the vessel at the time of the survey?	Yes No
Did the survey values given above include the value of all processing equipment gear on the vessel at the time of the survey?	Yes No
Did the survey values given above include the value of all fishing gear on the vessel at the time of the survey?	Yes No

9. For the remainder of the survey, report values from your 2011 fiscal year. On what day did this vessel's 2011 fiscal year begin?

____ / ____ mm dd

Please report values from your 2011 fiscal year for the remainder of this survey.

10. Was this vessel hauled out in 2011?

Yes No

11. Provide this vessel's average fuel use per day (for propulsion or other uses) when engaged in each of the following activities.

- *West Coast* includes Washington, Oregon, and California.
- Fuel use should include all fuels used for propulsion or other uses

Activity	Fuel Use
Processing and steaming in the West Coast whiting fishery	_____ gal/day
Steaming between the West Coast and Alaska	_____ gal/day

12. How many gallons of fuel did this vessel use (for propulsion or other uses) during 2011 in the **West Coast** whiting fishery?
- Please exclude any steaming between the West Coast and Alaska in these calculations.

Type of Fuel	Gallons
Diesel	_____ gal
Bunker oil	_____ gal
Fish oil	_____ gal

13. Provide the number of days this vessel was at sea during 2011 in each of the following activities. Please note that there is a special category for days at sea traveling between the West Coast and Alaska. (*This information will be used to allocate some of your expenditures between the West Coast and Alaska in order to avoid asking more detailed information about the vessel's activity in Alaska*)
- Count partial days as full days

Activity	Days at Sea
Processing in the West Coast whiting fishery	_____ days
Steaming in the West Coast whiting fishery	_____ days
Off-loading in the West Coast whiting fishery	_____ days
Steaming between the West Coast and Alaska	_____ days
All Alaska fisheries	_____ days

14. Provide the number of **one-way** trips this vessel made steaming between the West Coast and Alaska during 2011.

_____ one-way trips

15. Provide the average number of *processing* crew members and the average number of *non-processing* crew members (including the captain) when the vessel was operating in the **West Coast** whiting fishery during 2011.
- *Processing crew* includes line workers, fishmeal crew, quality control, technicians, cleanup, mechanics who work on processing equipment, factory manager, and combis.
 - *Non-processing crew* includes wheelhouse, deck crew, engine room, and galley.

Fishery	Average Number of Processing Crew Members	Average Number of Non-Processing Crew (including captain)
West Coast whiting	_____	_____

II. Capitalized Investments

16. Provide the 2011 **capitalized expenditures** associated with each of the following categories for this vessel. Note that some capitalized expenditures are asked for **all fisheries** (West Coast, Alaska and other) and others are asked only for the **West Coast** whiting fishery. Round all answers to the nearest 100 dollars. (*Capital investments on the vessel and gear shared across fisheries will be allocated to the West Coast based on days or tonnage*)

Capitalized Expenditure Category	Capitalized Expenditures in All Fisheries <i>West Coast, Alaska, and Other</i>	Capitalized Expenditures in West Coast
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Vessel and On-board Equipment

- exclude processing equipment and fishing gear
- include all electronics, safety equipment, and machinery not used to process or harvest fish

Capitalized expenditures on new and used vessel and on-board equipment	\$ _____	
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Processing Equipment

- exclude all equipment, machines, and buildings based primarily on shore
- exclude any processing equipment that is not used at least partially in the West Coast whiting fishery
- include on-board freezers, storage equipment, packing equipment, conveyers, and on-board cargo handling equipment

Capitalized expenditures on processing equipment <u>used only in the West Coast whiting fishery</u>		\$ _____
---	--	----------

Capitalized expenditures on processing equipment <u>shared by the West Coast whiting and other fisheries</u>	\$ _____	
--	----------	--

Fishing Gear

- include cod ends and other fishing gear used in the West Coast whiting fishery
- exclude any fishing gear that is not used at least partially in the West Coast whiting fishery

Capitalized expenditures on fishing gear <u>used only in the West Coast whiting fishery</u>		\$ _____
---	--	----------

Capitalized expenditures on fishing gear <u>shared by the West Coast whiting and other fisheries</u>	\$ _____	
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III. Permit Expenses

17. Provide the total cost of mothership permits purchased or leased during 2011 for use in the **West Coast** whiting fishery.

Permits Purchased or Leased	Total Cost
Purchase of mothership permits	\$ _____
Lease of mothership permits	\$ _____

IV. Annual Expenses

18. Provide the total amount **expensed** during 2011 in each of the categories below. Note that some expenses are asked for **all fisheries** (West Coast, Alaska and other) and some expenses are asked only for the **West Coast** whiting fishery. Round all answers to the nearest 100 dollars.

Expenses Category	Expenses in All Fisheries <i>West Coast, Alaska, and Other</i>	Expenses in West Coast
Processing crew (include wages, bonuses, benefits, payroll taxes, and unemployment insurance)		\$ _____
Non-Processing crew (include wages, bonuses, payroll taxes, and unemployment insurance)		\$ _____
Crew travel not deducted from crew wages		\$ _____
Observer fees		\$ _____
Mothership co-op dues		\$ _____
Fuel and lubrication (do not include steaming between West Coast and Alaska)		\$ _____
Food		\$ _____
Non-fish ingredients (additives)		\$ _____
Packing materials		\$ _____
Freight to the vessel on supplies		\$ _____
Other supplies (linens, clothing, cleaning, etc.)		\$ _____
Communications		\$ _____
Offload expenses (cross-dock fees, port tariffs, etc.)		\$ _____
On-board cargo / product insurance		\$ _____
Repair and maintenance on fishing gear <u>used only in the West Coast whiting fishery</u> (expensed in 2011)		\$ _____
Repair and maintenance on fishing gear <u>shared by the West Coast whiting fishery and other fisheries</u> (expensed in 2011)	\$ _____	
Processing equipment repair and maintenance (expensed in 2011)	\$ _____	
Vessel and on-board equipment repair and maintenance (expensed in 2011)	\$ _____	

Expenses Category (continued)	Expenses in All Fisheries West Coast, Alaska, and Other	Expenses in West Coast
Insurance premium payments (hull and machinery, protection and indemnity, and pollution insurance)	\$ _____	
Moorage	\$ _____	
Lease or bareboat charter of this mothership vessel	\$ _____	
Depreciation (vessel, on-board equipment, and processing equipment)	\$ _____	

19. Provide the weight and the cost of fish purchased from catcher vessels in the **West Coast** whiting fishery during 2011. Round weights to the nearest metric ton.
- Please include any post-season adjustments for purchases of fish that were harvested in 2011.
 - Total cost should include taxes and vessel buyback program fees paid on behalf of catcher vessels.

Type of Fish	Total Weight of Fish Received but Not Paid For (for size or other reasons)	Total Weight of Fish Purchased	Total Cost of Fish Purchases
Whiting	_____ mt	_____ mt	\$ _____
All other species	_____ mt	_____ mt	\$ _____

20. Provide the total round weight of all fish processed by this mothership vessel in **all fisheries** (West Coast, Alaska and other) during 2011. Round to the nearest metric ton. *(This information will be used to allocate some of your expenditures between the West Coast and Alaska in order to avoid asking more detailed information about the vessel's activity in Alaska)*

_____ mt

21. Provide the percentage, by value, of all products off-loaded from this mothership vessel in the **West Coast** whiting fishery at each of the following locations. Column sum should total 100%.

Location	Percentage of Total Off-load Value
Seattle	_____ %
Blaine / Bellingham	_____ %
Port Angeles	_____ %
Westport / Hoquiam	_____ %
Astoria	_____ %
Coos Bay	_____ %
At sea (tramper)	_____ %
Other: _____	_____ %

V. Annual Earnings

22. Provide the total weight and value of production in the **West Coast** whiting fishery during 2011. Report weights to the nearest metric ton.
- Do not include any additional payment you received to cover any shipping, handling, or storage costs associated with the sale beyond the f.o.b. port of discharge.
 - Please include any post-season adjustments for products produced in 2011.
 - For products produced in 2011 and held in inventory at the end of the year, estimate the value on the basis of the average price received for similar products sold during the year.
 - Include products shipped to other establishments of your company.
 - Do not include revenue associated with fish caught in any fishery except the West Coast whiting fishery.

Type of Fish	Total Weight of Production	Total Value of Production
Whiting		
Surimi	_____ mt	\$ _____
Fillets	_____ mt	\$ _____
H&G	_____ mt	\$ _____
Round	_____ mt	\$ _____
Fishmeal	_____ mt	\$ _____
Fish oil	_____ mt	\$ _____
Roe	_____ mt	\$ _____
Minced	_____ mt	\$ _____
Stomachs	_____ mt	\$ _____
Other: _____	_____ mt	\$ _____
Other Species		
All other species	_____ mt	\$ _____

23. Provide the revenue received during 2011 from the sale or lease of **West Coast** whiting mothership permits that were associated with this vessel.

Sale / Lease of Permits	Revenue Received
Sale of West Coast whiting mothership permits	\$ _____
Lease of West Coast whiting mothership permits	\$ _____

24. Provide the revenue received during 2011 from the lease or bareboat charter of this mothership vessel.

\$ _____

Questionnaire Comments:

Public Reporting Burden Statement

Public reporting burden for this collection of information is estimated to take 8 hours per response, including time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden to Todd Lee, National Marine Fisheries Service, Northwest Fisheries Science Center, 2725 Montlake Blvd E, Seattle, WA 98112.

Additional Information

Before completing this form, please note the following: 1) Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number; 2) This information is mandatory and is required to manage commercial fishing efforts under 50 CFR part 660 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 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*). They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect the confidentiality of fishery statistics.



Economic Data Collection Program
National Marine Fisheries Service
Northwest Fisheries Science Center
FRAM Division
2725 Montlake Blvd E.
Seattle, WA 98112

Dear Mr. Charles Smith

Our records indicate that you may be required to complete an Economic Data Collection (EDC) questionnaire. All owners and lessees of a shorebased processor and all buyers that received groundfish or whiting harvested with a limited entry trawl permit as listed in the PacFIN database during 2010 are required to file an EDC. If you are required under the regulations (50 CFR§ 660.114) to submit an EDC questionnaire, it must be completed and submitted to the Northwest Fisheries Science Center no later than September 1, 2011.

The EDC program is collecting information on the costs incurred and earnings generated from participants in the limited entry trawl fishery. Data collected will be used by NMFS to monitor changes in the economic performance of the West Coast groundfish trawl fishery, and will be used to meet the monitoring requirements for individual fishing quota (IFQ) managed fisheries. The data and related analysis will also be used to provide information to the Pacific Fisheries Management Council on changes in economic conditions within the fishery and the potential need for changes in fishery regulations associated with the IFQ program.

We appreciate the confidential nature of the data being collected by this survey. When publishing survey results, we will combine your responses with information provided by other participants, and report it in summary form so that responses for any individual site or facility cannot be identified. Responses to this survey are confidential under section 402(b) of the Magnuson-Stevens Act. They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect the confidentiality of fishery statistics. If a Freedom of Information Act (FOIA) request is received for the data collected by this survey, we will seek to protect the confidentiality of the survey responses under Exemption 4 of the FOIA.

After completing the questionnaire, you should return it to the Northwest Fisheries Science Center. The address is provided above. You will need to keep a copy of your completed questionnaire for your own records.

Sincerely,

Carl Lian
National Marine Fisheries Service
carl.lian@noaa.gov
(206)-302-2414



WEST COAST FIRST RECEIVER AND SHOREBASED PROCESSOR QUESTIONNAIRE 2011

NOAA Fisheries – Northwest Fisheries Science Center

Retain a completed copy of this questionnaire for your records.

I. Facility Characteristics and Ownership

- Our records indicate that this entity or facility is a first receiver of limited entry trawl caught groundfish. The buyer identification numbers issued by the state fish and game agencies associated with this entity or facility are reported below. If the same buyer identification numbers reported below deliver directly to alternative physical locations, a separate questionnaire must be completed for each facility. If the information on record is incorrect or there are additional buyer identification numbers that deliver directly to this facility please provide that information in the Corrections/Additions column.

Processor/Buyer IDs on Record	Corrections/Additions
Washington Dept. of Fish and Wildlife <div style="text-align: center; margin-top: 10px;"> _____ _____ </div>	<div style="text-align: center; margin-top: 10px;"> _____ _____ </div>
Oregon Dept. of Fish and Game <div style="text-align: center; margin-top: 10px;"> _____ _____ </div>	<div style="text-align: center; margin-top: 10px;"> _____ _____ </div>
California Dept. of Fish and Game <div style="text-align: center; margin-top: 10px;"> _____ _____ </div>	<div style="text-align: center; margin-top: 10px;"> _____ _____ </div>

- Provide the following information about the receiving or processing facility.

Name of facility	First Receiver License Number
Physical location of the receiving or processing facility (street address, city, state, zip code)	

This form can be downloaded from <http://www.nwr.noaa.gov>.

If you have any questions, please contact us at (###) ###-#### or First.Last@noaa.gov.

Submit by 9/1/12 to EDC Program, FRAM Division, Northwest Fisheries Science Center, 2725 Montlake Blvd E, Seattle, WA 98112.

3. Provide the contact information for the **owner of the first receiver site license**. *For baseline survey this question will be changed to collect contact information for the buyer ID issued by state fish and game agencies.*

Name of Company, Partnership, or Other Business Entity			
Business Mailing Address Street / PO Box		Business Phone ()	
		Business Fax ()	
City	State	Zip Code	Business Email

4. **Individual completing this report.** If your address, phone, and email are provided in the Owner information above, you do not need to repeat them here but please provide your name and title.

Name		Title	
Business Mailing Address Street / PO Box		Business Phone ()	
		Business Fax ()	
City	State	Zip Code	Business Email

5. Did you receive or process any fish at this facility during the 2011 calendar year?

<p>Yes► <i>Complete and submit the <u>entire questionnaire</u> for your 2011 fiscal year.</i></p> <p>No► <i>Complete and submit the questionnaire <u>through this page only</u>.</i></p>
--

6. Read the following statement and sign and date the box below.

I certify under penalty of perjury that I have reviewed all the information in this questionnaire and that it is true and complete to the best of my knowledge.	
Signature	Date signed ____/____/____ mm dd yyyy

7. Appraised value of facility

What was the year of this facility's last appraisal?	_____ yyyy
What was the <i>market value</i> of this facility from the appraisal, rounded to the nearest 100 dollars?	\$ _____
What was the <i>replacement value</i> of the facility from the appraisal, rounded to the nearest 100 dollars?	\$ _____
Did the survey values given above include the value of all processing equipment contained on-site?	Yes No

8. For the remainder of this survey, please answer all questions for the 2011 fiscal year. On what date did your 2011 fiscal year begin?

_____ / _____ mm dd

Please report values from your 2011 fiscal year for the remainder of this survey.

II. Capitalized Investments

9. Provide the 2011 **capitalized expenditures** associated with each of the following categories for this facility. Round all answers to the nearest 100 dollars.

CAPITAL EXPENDITURE CATEGORY	TOTAL CAPITALIZED EXPENDITURE
Capitalized expenditures on buildings (exclude land, but include building improvements)	\$ _____
Capitalized expenditures on new and used machinery and equipment (include only equipment used to process, transport on-site, or store fish on-site)*	\$ _____

*This should include all equipment present at this physical location that is used for the following: canning seafood; smoking, salting, and drying seafood; eviscerating fresh fish by removing heads, fins, scales, bones, or entrails; and production of marine fats and oils. It should also include equipment present at this physical location for packaging and freezing of seafood. It should also include transportation equipment such as trucks, forklifts, etc. used to transport equipment within this physical location. Do not include transportation equipment such as trucks or cars used to transport products or supplies into or away from this physical location.

III. Employees and Payroll

Provide the following information about the number of employees and wages. Include full and part-time employees and temporary employees working at this facility. The information is requested separately for production employees and all other employees, which are defined below.

10. Provide the number of **production workers** in the following table. **Production workers** include those workers at this facility (up through and including the line-supervisor level) engaged in fabricating, processing, assembling, inspecting, receiving, packing, warehousing, shipping, maintenance, repair, janitorial, product development, or transporting product on-site.

For the week including	Number of employees (full time, part time, and temporary)	Total Hours Worked
January 12	_____ workers	_____ hrs
February 12	_____ workers	_____ hrs
March 12	_____ workers	_____ hrs
April 12	_____ workers	_____ hrs
May 12	_____ workers	_____ hrs
June 12	_____ workers	_____ hrs
July 12	_____ workers	_____ hrs
August 12	_____ workers	_____ hrs
September 12	_____ workers	_____ hrs
October 12	_____ workers	_____ hrs
November 12	_____ workers	_____ hrs
December 12	_____ workers	_____ hrs

11. Provide the number of **all other employees** in the following table. **All other employees** includes those involved in supervision above line-supervisor level, sales, advertising, credit, collection, installation, cafeteria, recordkeeping, clerical and routine office functions, guard services, executive, purchasing, finance, and legal.

For the week including	Number of employees (full time, part time, and temporary)	Total Hours Worked
March 12	_____ workers	_____ hrs

12. Labor expenses for **production** and **all other employees** (include wages, bonuses, benefits, payroll taxes, and unemployment insurance)

Expense Category	2011 Total Expenditure
Production employee (see definition in Question 10 above)	\$
All other employee (see definition in Question 11 above)	\$

IV. Selected Expenses and Depreciation

13. Quota Expenses

Expense Category	2011 Total Expenditure
Purchases of quota pounds	\$
Leasing of quota share	\$
Purchases of quota share	\$

14. Utilities

Expense Category	2011 Total Expenditure
Electricity	\$
Natural gas	\$
Propane gas	\$
Water	\$
Sewer and waste disposal	\$

15. Rental or Lease Payments

Expense Category	2011 Total Expenditure
Rental or lease of buildings, job-site trailers and other structures (include land)	\$
Rental or lease of processing machinery or equipment	\$

16. Maintenance and Depreciation

Expense Category	2011 Total Expenditure
Repair and maintenance on buildings and equipment* (expensed in 2011)	\$
Depreciation charges for all building, equipment, and improvement capital investments (equipment includes all equipment used to process, transport on-site, or store fish on-site)*	\$

*This should include all equipment present at this physical location that is used for the following: canning seafood; smoking, salting, and drying seafood; eviscerating fresh fish by removing heads, fins, scales, bones, or entrails; and production of marine fats and oils. It should also include equipment present at this physical location for packaging and freezing of seafood. It should also include transportation equipment such as trucks, forklifts, etc. used to transport equipment within this physical location. Do not include transportation equipment such as trucks or cars used to transport seafood into or away from this physical location.

17. Please provide the following information on **custom processing** performed for you by another processor outside of this facility in 2011.

	Total weight of fish supplied to custom processors	2011 Custom Processing Fees Paid
Groundfish	_____ lbs	\$
Whiting	_____ lbs	\$
Other	_____ lbs	\$

18. Other Expenses

Expense Category	2011 Total Expenditure
Shoreside monitoring costs	\$
Production supplies (boots, smocks, hair nets, knives ,etc.)	\$
Packing materials	\$
Freight costs for supplies to the facility	\$
Non-fish ingredients (additives)	\$
Off-site product freezing and storage	\$
Insurance payments (property and workers compensation)	\$
Other Specify _____	\$
Other Specify _____	\$

19. Fish Purchases

For each type of fish listed, provide the amount of fish used as an input in this processing facility in 2011. In the table below **Other Sources** includes fish acquisitions from other processors, wholesale dealers, brokers, or aquaculture producers. The gross cost of fish purchases includes the value of any taxes paid on behalf of delivering vessels.

- **Total weight of fish received but not paid for (for size or quality reasons)** does not include fish received for custom processing.
- **Total weight of fish purchased** and **Gross cost of fish purchases** includes fish purchased by you that are custom processed by another processor outside of this facility.
- Please include any post-season adjustments.

Type of Fish	Total weight of fish received but not paid for (for size or quality reasons)	Total weight of fish purchased	Gross cost of fish purchases
Whiting			
LE Trawl	_____ lbs	_____ lbs	\$
Fixed Gear	_____ lbs	_____ lbs	\$
Other Sources	_____ lbs	_____ lbs	\$
Dover sole			
LE Trawl	_____ lbs	_____ lbs	\$
Fixed Gear	_____ lbs	_____ lbs	\$
Other Sources	_____ lbs	_____ lbs	\$
Thornyheads			
LE Trawl	_____ lbs	_____ lbs	\$
Fixed Gear	_____ lbs	_____ lbs	\$
Other Sources	_____ lbs	_____ lbs	\$
Sablefish			
LE Trawl	_____ lbs	_____ lbs	\$
Fixed Gear	_____ lbs	_____ lbs	\$
Other Sources	_____ lbs	_____ lbs	\$
Lingcod			
LE Trawl	_____ lbs	_____ lbs	\$
Fixed Gear	_____ lbs	_____ lbs	\$
Other Sources	_____ lbs	_____ lbs	\$
Rockfish			
LE Trawl	_____ lbs	_____ lbs	\$
Fixed Gear	_____ lbs	_____ lbs	\$
Other Sources	_____ lbs	_____ lbs	\$
English Sole			
LE Trawl	_____ lbs	_____ lbs	\$
Fixed Gear	_____ lbs	_____ lbs	\$
Other Sources	_____ lbs	_____ lbs	\$
Rex sole			
LE Trawl	_____ lbs	_____ lbs	\$
Fixed Gear	_____ lbs	_____ lbs	\$
Other Sources	_____ lbs	_____ lbs	\$
Petrale sole			
LE Trawl	_____ lbs	_____ lbs	\$

Type of Fish	Total weight of fish received but not paid for (for size or quality reasons)	Total weight of fish purchased	Gross cost of fish purchases
Fixed Gear	_____ lbs	_____ lbs	\$
Other Sources	_____ lbs	_____ lbs	\$
Sharks, Skates, Rays			
LE Trawl	_____ lbs	_____ lbs	\$
Fixed Gear	_____ lbs	_____ lbs	\$
Other Sources	_____ lbs	_____ lbs	\$
Tuna			
All Tuna	_____ lbs	_____ lbs	\$
Pacific Halibut			
All Pacific Halibut	_____ lbs	_____ lbs	\$
California Halibut			
All California Halibut	_____ lbs	_____ lbs	\$
Herring			
All Herring	_____ lbs	_____ lbs	\$
Coastal Pelagic			
All Other Coastal Pelagic	_____ lbs	_____ lbs	\$
Salmon			
All Salmon	_____ lbs	_____ lbs	\$
Crab			
All Crab	_____ lbs	_____ lbs	\$
Shrimp			
All Shrimp	_____ lbs	_____ lbs	\$
Squid			
All Squid	_____ lbs	_____ lbs	\$
Echinoderms			
All Echinoderms	_____ lbs	_____ lbs	\$
Other Shellfish			
All Other Shellfish	_____ lbs	_____ lbs	\$
Other Species (please list)			
_____	_____ lbs	_____ lbs	\$
_____	_____ lbs	_____ lbs	\$
_____	_____ lbs	_____ lbs	\$

V. Annual Earnings

20. Provide the 2011 selling value f.o.b. plant (after discounts and allowances and excluding freight charges).
- Include products made from custom processing performed for you, but do not include products you made from fish owned by others (custom processing you performed for others).
 - Do not include any additional payment you received to cover any shipping, handling, or storage costs associated with the sale beyond the plant.
 - Please include any post-season adjustments.
 - For products made during the survey year and held in inventory at the end of the year, estimate the value on the basis of the average price received for similar products sold during the year.
 - Include products shipped to other establishments of your company.

Type of Fish	Total weight of production	Total value of production (Include products shipped to other facilities of your company)
Whiting		
Surimi	_____ lbs	\$
H&G	_____ lbs	\$
Fillets	_____ lbs	\$
Roe	_____ lbs	\$
Frozen Whole	_____ lbs	\$
Unprocessed	_____ lbs	\$
other (specify)_____	_____ lbs	\$
other (specify)_____	_____ lbs	\$
Dover sole		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Thornyheads		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Sablefish		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Lingcod		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Rockfish		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$

Type of Fish	Total weight of production	Total value of production (Include products shipped to other facilities of your company)
English Sole		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Rex sole		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Petrale sole		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Sharks, Skates, Rays		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Tuna		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Canned	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Herring		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Sturgeon		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Canned	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Pacific Halibut		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
California Halibut		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$

Type of Fish	Total weight of production	Total value of production (Include products shipped to other facilities of your company)
Other Coastal Pelagic		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Salmon		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Smoked	_____ lbs	\$
Canned	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Crab		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Canned	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Shrimp		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Canned	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Squid		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Echinoderms		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Other Shellfish		
Fresh	_____ lbs	\$
Frozen	_____ lbs	\$
Unprocessed	_____ lbs	\$
Other	_____ lbs	\$
Other Species (please list)		
_____	_____ lbs	\$
_____	_____ lbs	\$
_____	_____ lbs	\$
Other Non-Species specific Products		

Type of Fish	Total weight of production	Total value of production (Include products shipped to other facilities of your company)
Fish Meal	_____lbs	\$
Fish Oil	_____lbs	\$
Other products	_____lbs	\$

Other Earnings

21. Provide the revenue received for **custom processing** for others in 2011.

	2011 Custom Processing Revenue
Groundfish	\$
Whiting	\$
Other	\$

22. Provide the revenue received for **quota sales and leasing** in 2011.

Quota Category	2011 Total Revenue
Sale of quota pounds	\$
Leasing of quota pounds	\$
Leasing of quota share	\$
Sale of quota share	\$

Questionnaire Comments:

Public Reporting Burden Statement

Public reporting burden for this collection of information is estimated to take 8 hours per response, including time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden to Todd Lee, National Marine Fisheries Service, Northwest Fisheries Science Center, 2725 Montlake Blvd E, Seattle, WA 98112.

Additional Information

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SEC. 303. CONTENTS OF FISHERY MANAGEMENT PLANS 16 U.S.C. 1853

95-354, 99-659, 101-627, 104-297

(a) **REQUIRED PROVISIONS.**—Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, shall—

(1) contain the conservation and management measures, applicable to foreign fishing and fishing by vessels of the United States, which are—

(A) necessary and appropriate for the conservation and management of the fishery to prevent overfishing and rebuild overfished stocks, and to protect, restore, and promote the long-term health and stability of the fishery;

(B) described in this subsection or subsection (b), or both; and

(C) consistent with the national standards, the other provisions of this Act, regulations implementing recommendations by international organizations in which the United States participates (including but not limited to closed areas, quotas, and size limits), and any other applicable law;

(2) contain a description of the fishery, including, but not limited to, the number of vessels involved, the type and quantity of fishing gear used, the species of fish involved and their location, the cost likely to be incurred in management, actual and potential revenues from the fishery, any recreational interest in the fishery, and the nature and extent of foreign fishing and Indian treaty fishing rights, if any;

(3) assess and specify the present and probable future condition of, and the maximum sustainable yield and optimum yield from, the fishery, and include a summary of the information utilized in making such specification;

(4) assess and specify—

(A) the capacity and the extent to which fishing vessels of the United States, on an annual basis, will harvest the optimum yield specified under paragraph (3),

(B) the portion of such optimum yield which, on an annual basis, will not be harvested by fishing vessels of the United States and can be made available for foreign fishing, and

(C) the capacity and extent to which United States fish processors, on an annual basis, will process that portion of such optimum yield that will be harvested by fishing vessels of the United States;

109-479

(5) specify the pertinent data which shall be submitted to the Secretary with respect to commercial, recreational, charter fishing, and fish processing in the fishery, including, but not limited to, information regarding the type and quantity of fishing gear used, catch by species in numbers of fish or weight thereof, areas in which fishing was engaged in, time of fishing, number of hauls, economic information necessary to meet the requirements of this Act, and the estimated processing capacity of, and the actual processing capacity utilized by, United States fish processors;

(6) consider and provide for temporary adjustments, after consultation with the Coast Guard and persons utilizing the fishery, regarding access to the fishery for vessels otherwise prevented from harvesting because of weather or other ocean conditions affecting the safe conduct of the fishery; except that the adjustment shall not adversely affect conservation efforts in other fisheries or discriminate among participants in the affected fishery;

(7) describe and identify essential fish habitat for the fishery based on the guidelines established by the Secretary under section 305(b)(1)(A), minimize to the extent practicable adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat;

(8) in the case of a fishery management plan that, after January 1, 1991, is submitted to the Secretary for review under section 304(a) (including any plan for which an amendment is submitted to the Secretary for such review) or is prepared by the Secretary, assess and specify the nature and extent of scientific data which is needed for effective implementation of the plan;

109-479

(9) include a fishery impact statement for the plan or amendment (in the case of a plan or amendment thereto submitted to or prepared by the Secretary after October 1, 1990) which shall assess, specify, and analyze the likely effects, if any, including the cumulative conservation, economic, and social impacts, of the conservation and management measures on, and possible mitigation measures for—

(A) participants in the fisheries and fishing communities affected by the plan or amendment;

(B) participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants; and

(C) the safety of human life at sea, including whether and to what extent such measures may affect the safety of participants in the fishery;

(10) specify objective and measurable criteria for identifying when the fishery to which the plan applies is overfished (with an analysis of how the criteria were determined and the relationship of the criteria to the reproductive potential of stocks of fish in that fishery) and, in the case of a fishery which the Council or the Secretary has determined is approaching an overfished condition or is overfished, contain conservation and management measures to prevent overfishing or end overfishing and rebuild the fishery;

(11) establish a standardized reporting methodology to assess the amount and type of bycatch occurring in the fishery, and include conservation and management measures that, to the extent practicable and in the following priority—

(A) minimize bycatch; and

(B) minimize the mortality of bycatch which cannot be avoided;

16 U.S.C. 1853
MSA § 303

(12) assess the type and amount of fish caught and released alive during recreational fishing under catch and release fishery management programs and the mortality of such fish, and include conservation and management measures that, to the extent practicable, minimize mortality and ensure the extended survival of such fish;

109-479

(13) include a description of the commercial, recreational, and charter fishing sectors which participate in the fishery, including its economic impact, and, to the extent practicable, quantify trends in landings of the managed fishery resource by the commercial, recreational, and charter fishing sectors;

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(14) to the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate, taking into consideration the economic impact of the harvest restrictions or recovery benefits on the fishery participants in each sector, any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery and;

109-479

(15) establish a mechanism for specifying annual catch limits in the plan (including a multiyear plan), implementing regulations, or annual specifications, at a level such that overfishing does not occur in the fishery, including measures to ensure accountability.

97-453, 99-659, 101-627, 102-251, 104-297

(b) DISCRETIONARY PROVISIONS.—Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, may—

(1) require a permit to be obtained from, and fees to be paid to, the Secretary, with respect to—

(A) any fishing vessel of the United States fishing, or wishing to fish, in the exclusive economic zone [or special areas,]* or for anadromous species or Continental Shelf fishery resources beyond such zone [or areas]*;

(B) the operator of any such vessel; or

(C) any United States fish processor who first receives fish that are subject to the plan;

109-479

(2)(A) designate zones where, and periods when, fishing shall be limited, or shall not be permitted, or shall be permitted only by specified types of fishing vessels or with specified types and quantities of fishing gear;

(B) designate such zones in areas where deep sea corals are identified under section 408, to protect deep sea corals from physical damage from fishing gear or to prevent loss or damage to such fishing gear from interactions with deep sea corals, after considering long-term sustainable uses of fishery resources in such areas; and

(C) with respect to any closure of an area under this Act that prohibits all fishing, ensure that such closure—

- (i) is based on the best scientific information available;
- (ii) includes criteria to assess the conservation benefit of the closed area;
- (iii) establishes a timetable for review of the closed area's performance that is consistent with the purposes of the closed area; and
- (iv) is based on an assessment of the benefits and impacts of the closure, including its size, in relation to other management measures (either alone or in combination with such measures), including the benefits and impacts of limiting access to: users of the area, overall fishing activity, fishery science, and fishery and marine conservation;

(3) establish specified limitations which are necessary and appropriate for the conservation and management of the fishery on the—

- (A) catch of fish (based on area, species, size, number, weight, sex, bycatch, total biomass, or other factors);
- (B) sale of fish caught during commercial, recreational, or charter fishing, consistent with any applicable Federal and State safety and quality requirements; and
- (C) transshipment or transportation of fish or fish products under permits issued pursuant to section 204;

(4) prohibit, limit, condition, or require the use of specified types and quantities of fishing gear, fishing vessels, or equipment for such vessels, including devices which may be required to facilitate enforcement of the provisions of this Act;

109-479

(5) incorporate (consistent with the national standards, the other provisions of this Act, and any other applicable law) the relevant fishery conservation and management measures of the coastal States nearest to the fishery and take into account the different circumstances affecting fisheries from different States and ports, including distances to fishing grounds and proximity to time and area closures;

109-479

(6) establish a limited access system for the fishery in order to achieve optimum yield if, in developing such system, the Council and the Secretary take into account—

- (A) present participation in the fishery;
- (B) historical fishing practices in, and dependence on, the fishery;
- (C) the economics of the fishery;
- (D) the capability of fishing vessels used in the fishery to engage in other fisheries;
- (E) the cultural and social framework relevant to the fishery and any affected fishing communities;
- (F) the fair and equitable distribution of access privileges in the fishery; and
- (G) any other relevant considerations;

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MSA § 303

(7) require fish processors who first receive fish that are subject to the plan to submit data which are necessary for the conservation and management of the fishery;

(8) require that one or more observers be carried on board a vessel of the United States engaged in fishing for species that are subject to the plan, for the purpose of collecting data necessary for the conservation and management of the fishery; except that such a vessel shall not be required to carry an observer on board if the facilities of the vessel for the quartering of an observer, or for carrying out observer functions, are so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized;

(9) assess and specify the effect which the conservation and management measures of the plan will have on the stocks of naturally spawning anadromous fish in the region;

(10) include, consistent with the other provisions of this Act, conservation and management measures that provide harvest incentives for participants within each gear group to employ fishing practices that result in lower levels of bycatch or in lower levels of the mortality of bycatch;

(11) reserve a portion of the allowable biological catch of the fishery for use in scientific research;

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(12) include management measures in the plan to conserve target and non-target species and habitats, considering the variety of ecological factors affecting fishery populations; and

(14)[sic]¹⁵ prescribe such other measures, requirements, or conditions and restrictions as are determined to be necessary and appropriate for the conservation and management of the fishery.

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(c) PROPOSED REGULATIONS.—Proposed regulations which the Council deems necessary or appropriate for the purposes of—

(1) implementing a fishery management plan or plan amendment shall be submitted to the Secretary simultaneously with the plan or amendment under section 304; and

(2) making modifications to regulations implementing a fishery management plan or plan amendment may be submitted to the Secretary at any time after the plan or amendment is approved under section 304.

¹⁵ So in original.

P.L. 109-479, sec. 104(b), MSA § 303 note

16 U.S.C. 1853 note

EFFECTIVE DATES; APPLICATION TO CERTAIN SPECIES.—The amendment made by subsection (a)(10)¹⁶—

(1) shall, unless otherwise provided for under an international agreement in which the United States participates, take effect—

(A) in fishing year 2010 for fisheries determined by the Secretary to be subject to overfishing; and

(B) in fishing year 2011 for all other fisheries; and

(2) shall not apply to a fishery for species that have a life cycle of approximately 1 year unless the Secretary has determined the fishery is subject to overfishing of that species; and

(3) shall not limit or otherwise affect the requirements of section 301(a)(1) or 304(e) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851(a)(1) or 1854(e), respectively).

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SEC. 303A. LIMITED ACCESS PRIVILEGE PROGRAMS.

16 U.S.C. 1853a

(a) **IN GENERAL.**—After the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, a Council may submit, and the Secretary may approve, for a fishery that is managed under a limited access system, a limited access privilege program to harvest fish if the program meets the requirements of this section.

(b) **NO CREATION OF RIGHT, TITLE, OR INTEREST.**—Limited access privilege, quota share, or other limited access system authorization established, implemented, or managed under this Act—

(1) shall be considered a permit for the purposes of sections 307, 308, and 309;

(2) may be revoked, limited, or modified at any time in accordance with this Act, including revocation if the system is found to have jeopardized the sustainability of the stock or the safety of fishermen;

(3) shall not confer any right of compensation to the holder of such limited access privilege, quota share, or other such limited access system authorization if it is revoked, limited, or modified;

(4) shall not create, or be construed to create, any right, title, or interest in or to any fish before the fish is harvested by the holder; and

(5) shall be considered a grant of permission to the holder of the limited access privilege or quota share to engage in activities permitted by such limited access privilege or quota share.

¹⁶ Section 104(a)(10) of P.L. 109-479 added section 303(a)(15).

(c) REQUIREMENTS FOR LIMITED ACCESS PRIVILEGES.—

(1) IN GENERAL.—Any limited access privilege program to harvest fish submitted by a Council or approved by the Secretary under this section shall—

(A) if established in a fishery that is overfished or subject to a rebuilding plan, assist in its rebuilding;

(B) if established in a fishery that is determined by the Secretary or the Council to have over-capacity, contribute to reducing capacity;

(C) promote—

(i) fishing safety;

(ii) fishery conservation and management; and

(iii) social and economic benefits;

(D) prohibit any person other than a United States citizen, a corporation, partnership, or other entity established under the laws of the United States or any State, or a permanent resident alien, that meets the eligibility and participation requirements established in the program from acquiring a privilege to harvest fish, including any person that acquires a limited access privilege solely for the purpose of perfecting or realizing on a security interest in such privilege;

(E) require that all fish harvested under a limited access privilege program be processed on vessels of the United States or on United States soil (including any territory of the United States);

(F) specify the goals of the program;

(G) include provisions for the regular monitoring and review by the Council and the Secretary of the operations of the program, including determining progress in meeting the goals of the program and this Act, and any necessary modification of the program to meet those goals, with a formal and detailed review 5 years after the implementation of the program and thereafter to coincide with scheduled Council review of the relevant fishery management plan (but no less frequently than once every 7 years);

(H) include an effective system for enforcement, monitoring, and management of the program, including the use of observers or electronic monitoring systems;

(I) include an appeals process for administrative review of the Secretary's decisions regarding initial allocation of limited access privileges;

(J) provide for the establishment by the Secretary, in consultation with appropriate Federal agencies, for an information collection and review process to provide any additional information needed to determine whether any illegal acts of anti-competition, anti-trust, price collusion, or price fixing have occurred among regional fishery associations or persons receiving limited access privileges under the program; and

(K) provide for the revocation by the Secretary of limited access privileges held by any person found to have violated the antitrust laws of the United States.

(2) WAIVER.—The Secretary may waive the requirement of paragraph (1)(E) if the Secretary determines that—

- (A) the fishery has historically processed the fish outside of the United States; and
- (B) the United States has a seafood safety equivalency agreement with the country where processing will occur.

(3) FISHING COMMUNITIES.—

(A) IN GENERAL.—

(i) ELIGIBILITY.—To be eligible to participate in a limited access privilege program to harvest fish, a fishing community shall—

- (I) be located within the management area of the relevant Council;
- (II) meet criteria developed by the relevant Council, approved by the Secretary, and published in the Federal Register;
- (III) consist of residents who conduct commercial or recreational fishing, processing, or fishery-dependent support businesses within the Council's management area; and
- (IV) develop and submit a community sustainability plan to the Council and the Secretary that demonstrates how the plan will address the social and economic development needs of coastal communities, including those that have not historically had the resources to participate in the fishery, for approval based on criteria developed by the Council that have been approved by the Secretary and published in the Federal Register.

(ii) FAILURE TO COMPLY WITH PLAN.—The Secretary shall deny or revoke limited access privileges granted under this section for any person who fails to comply with the requirements of the community sustainability plan. Any limited access privileges denied or revoked under this section may be reallocated to other eligible members of the fishing community.

- (B) PARTICIPATION CRITERIA.—In developing participation criteria for eligible communities under this paragraph, a Council shall consider—
- (i) traditional fishing or processing practices in, and dependence on, the fishery;
 - (ii) the cultural and social framework relevant to the fishery;
 - (iii) economic barriers to access to fishery;
 - (iv) the existence and severity of projected economic and social impacts associated with implementation of limited access privilege programs on harvesters, captains, crew, processors, and other businesses substantially dependent upon the fishery in the region or subregion;
 - (v) the expected effectiveness, operational transparency, and equitability of the community sustainability plan; and
 - (vi) the potential for improving economic conditions in remote coastal communities lacking resources to participate in harvesting or processing activities in the fishery.

(4) REGIONAL FISHERY ASSOCIATIONS.—

(A) IN GENERAL.—To be eligible to participate in a limited access privilege program to harvest fish, a regional fishery association shall—

- (i) be located within the management area of the relevant Council;
- (ii) meet criteria developed by the relevant Council, approved by the Secretary, and published in the Federal Register;
- (iii) be a voluntary association with established by-laws and operating procedures;
- (iv) consist of participants in the fishery who hold quota share that are designated for use in the specific region or subregion covered by the regional fishery association, including commercial or recreational fishing, processing, fishery-dependent support businesses, or fishing communities;
- (v) not be eligible to receive an initial allocation of a limited access privilege but may acquire such privileges after the initial allocation, and may hold the annual fishing privileges of any limited access privileges it holds or the annual fishing privileges that is [sic]¹⁷ members contribute; and
- (vi) develop and submit a regional fishery association plan to the Council and the Secretary for approval based on criteria developed by the Council that have been approved by the Secretary and published in the Federal Register.

(B) FAILURE TO COMPLY WITH PLAN.—The Secretary shall deny or revoke limited access privileges granted under this section to any person participating in a regional fishery association who fails to comply with the requirements of the regional fishery association plan.

¹⁷ So in original.

(C) PARTICIPATION CRITERIA.—In developing participation criteria for eligible regional fishery associations under this paragraph, a Council shall consider—

- (i) traditional fishing or processing practices in, and dependence on, the fishery;
- (ii) the cultural and social framework relevant to the fishery;
- (iii) economic barriers to access to fishery;
- (iv) the existence and severity of projected economic and social impacts associated with implementation of limited access privilege programs on harvesters, captains, crew, processors, and other businesses substantially dependent upon the fishery in the region or subregion;
- (v) the administrative and fiduciary soundness of the association; and
- (vi) the expected effectiveness, operational transparency, and equitability of the fishery association plan.

(5) ALLOCATION.—In developing a limited access privilege program to harvest fish a Council or the Secretary shall—

(A) establish procedures to ensure fair and equitable initial allocations, including consideration of—

- (i) current and historical harvests;
- (ii) employment in the harvesting and processing sectors;
- (iii) investments in, and dependence upon, the fishery; and
- (iv) the current and historical participation of fishing communities;

(B) consider the basic cultural and social framework of the fishery, especially through—

- (i) the development of policies to promote the sustained participation of small owner-operated fishing vessels and fishing communities that depend on the fisheries, including regional or port-specific landing or delivery requirements; and
- (ii) procedures to address concerns over excessive geographic or other consolidation in the harvesting or processing sectors of the fishery;

(C) include measures to assist, when necessary and appropriate, entry-level and small vessel owner-operators, captains, crew, and fishing communities through set-asides of harvesting allocations, including providing privileges, which may include set-asides or allocations of harvesting privileges, or economic assistance in the purchase of limited access privileges;

(D) ensure that limited access privilege holders do not acquire an excessive share of the total limited access privileges in the program by—

- (i) establishing a maximum share, expressed as a percentage of the total limited access privileges, that a limited access privilege holder is permitted to hold, acquire, or use; and
- (ii) establishing any other limitations or measures necessary to prevent an inequitable concentration of limited access privileges; and

(E) authorize limited access privileges to harvest fish to be held, acquired, used by, or issued under the system to persons who substantially participate in the fishery, including in a specific sector of such fishery, as specified by the Council.

(6) PROGRAM INITIATION.—

(A) LIMITATION.—Except as provided in subparagraph (D), a Council may initiate a fishery management plan or amendment to establish a limited access privilege program to harvest fish on its own initiative or if the Secretary has certified an appropriate petition.

(B) PETITION.—A group of fishermen constituting more than 50 percent of the permit holders, or holding more than 50 percent of the allocation, in the fishery for which a limited access privilege program to harvest fish is sought, may submit a petition to the Secretary requesting that the relevant Council or Councils with authority over the fishery be authorized to initiate the development of the program. Any such petition shall clearly state the fishery to which the limited access privilege program would apply. For multispecies permits in the Gulf of Mexico, only those participants who have substantially fished the species proposed to be included in the limited access program shall be eligible to sign a petition for such a program and shall serve as the basis for determining the percentage described in the first sentence of this subparagraph.

(C) CERTIFICATION BY SECRETARY.—Upon the receipt of any such petition, the Secretary shall review all of the signatures on the petition and, if the Secretary determines that the signatures on the petition represent more than 50 percent of the permit holders, or holders of more than 50 percent of the allocation in the fishery, as described by subparagraph (B), the Secretary shall certify the petition to the appropriate Council or Councils.

(D) NEW ENGLAND AND GULF REFERENDUM.—

(i) Except as provided in clause (iii) for the Gulf of Mexico commercial red snapper fishery, the New England and Gulf Councils may not submit, and the Secretary may not approve or implement, a fishery management plan or amendment that creates an individual fishing quota program, including a Secretarial plan, unless such a system, as ultimately developed, has been approved by more than 2/3 of those voting in a referendum among eligible permit holders, or other persons described in clause (v), with respect to the New England Council, and by a majority of those voting in the referendum among eligible permit holders with respect to the Gulf Council. For multispecies permits in the Gulf of Mexico, only those participants who have substantially fished the species proposed to be included in the individual fishing quota program shall be eligible to vote in such a referendum. If an individual fishing quota program fails to be approved by the requisite number of those voting, it may be revised and submitted for approval in a subsequent referendum.

(ii) The Secretary shall conduct a referendum under this subparagraph, including notifying all persons eligible to participate in the referendum and making available to them information concerning the schedule, procedures, and eligibility requirements for the referendum process and the proposed individual fishing quota program. Within 1 year after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, the Secretary shall publish guidelines and procedures to determine procedures and voting eligibility requirements for referenda and to conduct such referenda in a fair and equitable manner.

(iii) The provisions of section 407(c) of this Act shall apply in lieu of this subparagraph for an individual fishing quota program for the Gulf of Mexico commercial red snapper fishery.

(iv) Chapter 35 of title 44, United States Code, (commonly known as the Paperwork Reduction Act) does not apply to the referenda conducted under this subparagraph.

(v) The Secretary shall promulgate criteria for determining whether additional fishery participants are eligible to vote in the New England referendum described in clause (i) in order to ensure that crew members who derive a significant percentage of their total income from the fishery under the proposed program are eligible to vote in the referendum.

(vi) In this subparagraph, the term ‘individual fishing quota’ does not include a sector allocation.

(7) TRANSFERABILITY.—In establishing a limited access privilege program, a Council shall—

(A) establish a policy and criteria for the transferability of limited access privileges (through sale or lease), that is consistent with the policies adopted by the Council for the fishery under paragraph (5); and

(B) establish, in coordination with the Secretary, a process for monitoring of transfers (including sales and leases) of limited access privileges.

(8) PREPARATION AND IMPLEMENTATION OF SECRETARIAL PLANS.—This subsection also applies to a plan prepared and implemented by the Secretary under section 304(c) or 304(g).

(9) ANTITRUST SAVINGS CLAUSE.—Nothing in this Act shall be construed to modify, impair, or supersede the operation of any of the antitrust laws. For purposes of the preceding sentence, the term ‘antitrust laws’ has the meaning given such term in subsection (a) of the first section of the Clayton Act, except that such term includes section 5 of the Federal Trade Commission Act to the extent that such section 5 applies to unfair methods of competition.

16 U.S.C. 1853a
MSA § 303A

(d) AUCTION AND OTHER PROGRAMS.—In establishing a limited access privilege program, a Council shall consider, and may provide, if appropriate, an auction system or other program to collect royalties for the initial, or any subsequent, distribution of allocations in a limited access privilege program if—

(1) the system or program is administered in such a way that the resulting distribution of limited access privilege shares meets the program requirements of this section; and

(2) revenues generated through such a royalty program are deposited in the Limited Access System Administration Fund established by section 305(h)(5)(B) and available subject to annual appropriations.

(e) COST RECOVERY.—In establishing a limited access privilege program, a Council shall—

(1) develop a methodology and the means to identify and assess the management, data collection and analysis, and enforcement programs that are directly related to and in support of the program; and

(2) provide, under section 304(d)(2), for a program of fees paid by limited access privilege holders that will cover the costs of management, data collection and analysis, and enforcement activities.

(f) CHARACTERISTICS.—A limited access privilege established after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 is a permit issued for a period of not more than 10 years that—

(1) will be renewed before the end of that period, unless it has been revoked, limited, or modified as provided in this subsection;

(2) will be revoked, limited, or modified if the holder is found by the Secretary, after notice and an opportunity for a hearing under section 554 of title 5, United States Code, to have failed to comply with any term of the plan identified in the plan as cause for revocation, limitation, or modification of a permit, which may include conservation requirements established under the plan;

(3) may be revoked, limited, or modified if the holder is found by the Secretary, after notice and an opportunity for a hearing under section 554 of title 5, United States Code, to have committed an act prohibited by section 307 of this Act; and

(4) may be acquired, or reacquired, by participants in the program under a mechanism established by the Council if it has been revoked, limited, or modified under paragraph (2) or (3).

(g) LIMITED ACCESS PRIVILEGE ASSISTED PURCHASE PROGRAM.—

(1) IN GENERAL.—A Council may submit, and the Secretary may approve and implement, a program which reserves up to 25 percent of any fees collected from a fishery under section 304(d)(2) to be used, pursuant to section 53706(a)(7) of title 46, United States Code, to issue obligations that aid in financing—

(A) the purchase of limited access privileges in that fishery by fishermen who fish from small vessels; and

(B) the first-time purchase of limited access privileges in that fishery by entry level fishermen.

(2) ELIGIBILITY CRITERIA.—A Council making a submission under paragraph (1) shall recommend criteria, consistent with the provisions of this Act, that a fisherman must meet to qualify for guarantees under subparagraphs (A) and (B) of paragraph (1) and the portion of funds to be allocated for guarantees under each subparagraph.

(h) EFFECT ON CERTAIN EXISTING SHARES AND PROGRAMS.—Nothing in this Act, or the amendments made by the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, shall be construed to require a reallocation or a reevaluation of individual quota shares, processor quota shares, cooperative programs, or other quota programs, including sector allocation in effect before the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006.

(i) TRANSITION RULES.—

(1) IN GENERAL.—The requirements of this section shall not apply to any quota program, including any individual quota program, cooperative program, or sector allocation for which a Council has taken final action or which has been submitted by a Council to the Secretary, or approved by the Secretary, within 6 months after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, except that—

(A) the requirements of section 303(d) of this Act in effect on the day before the date of enactment of that Act shall apply to any such program;

(B) the program shall be subject to review under subsection (c)(1)(G) of this section not later than 5 years after the program implementation; and

(C) nothing in this subsection precludes a Council from incorporating criteria contained in this section into any such plans.

(2) PACIFIC GROUND FISH PROPOSALS.—The requirements of this section, other than subparagraphs (A) and (B) of subsection (c)(1) and subparagraphs (A), (B), and (C) of paragraph (1) of this subsection, shall not apply to any proposal authorized under section 302(f) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 that is submitted within the timeframe prescribed by that section.

16 U.S.C. 1853a note, 1854
MSA §§ 303A note, 304

P.L. 109-479, sec. 106(e), MSA § 303A note

16 U.S.C. 1853a note

APPLICATION WITH AMERICAN FISHERIES ACT.—Nothing in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), as added by subsection (a) [P.L. 109-479], shall be construed to modify or supersede any provision of the American Fisheries Act (46 U.S.C. 12102 note; 16 U.S.C. 1851 note; et alia).

P.L. 104-297, sec. 108(i), MSA § 303 note

EXISTING QUOTA PLANS.—Nothing in this Act [P.L.104-297] or the amendments made by this Act shall be construed to require a reallocation of individual fishing quotas under any individual fishing quota program approved by the Secretary before January 4, 1995.

SEC. 304. ACTION BY THE SECRETARY

16 U.S.C. 1854

104-297

(a) REVIEW OF PLANS.—

(1) Upon transmittal by the Council to the Secretary of a fishery management plan or plan amendment, the Secretary shall—

(A) immediately commence a review of the plan or amendment to determine whether it is consistent with the national standards, the other provisions of this Act, and any other applicable law; and

(B) immediately publish in the Federal Register a notice stating that the plan or amendment is available and that written information, views, or comments of interested persons on the plan or amendment may be submitted to the Secretary during the 60-day period beginning on the date the notice is published.

(2) In undertaking the review required under paragraph (1), the Secretary shall—

(A) take into account the information, views, and comments received from interested persons;

(B) consult with the Secretary of State with respect to foreign fishing; and

(C) consult with the Secretary of the department in which the Coast Guard is operating with respect to enforcement at sea and to fishery access adjustments referred to in section 303(a)(6).

(3) The Secretary shall approve, disapprove, or partially approve a plan or amendment within 30 days of the end of the comment period under paragraph (1) by written notice to the Council. A notice of disapproval or partial approval shall specify—

(A) the applicable law with which the plan or amendment is inconsistent;

(B) the nature of such inconsistencies; and

(C) recommendations concerning the actions that could be taken by the Council to conform such plan or amendment to the requirements of applicable law.

If the Secretary does not notify a Council within 30 days of the end of the comment period of the approval, disapproval, or partial approval of a plan or amendment, then such plan or amendment shall take effect as if approved.

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SEC. 402. INFORMATION COLLECTION

16 U.S.C. 1881a

109-479

(a) COLLECTION PROGRAMS.—

(1) COUNCIL REQUESTS.—If a Council determines that additional information would be beneficial for developing, implementing, or revising a fishery management plan or for determining whether a fishery is in need of management, the Council may request that the Secretary implement an information collection program for the fishery which would provide the types of information specified by the Council. The Secretary shall undertake such an information collection program if he determines that the need is justified, and shall promulgate regulations to implement the program within 60 days after such determination is made. If the Secretary determines that the need for an information collection program is not justified, the Secretary shall inform the Council of the reasons for such determination in writing. The determinations of the Secretary under this paragraph regarding a Council request shall be made within a reasonable period of time after receipt of that request.

(2) SECRETARIAL INITIATION.—If the Secretary determines that additional information is necessary for developing, implementing, revising, or monitoring a fishery management plan, or for determining whether a fishery is in need of management, the Secretary may, by regulation, implement an information collection or observer program requiring submission of such additional information for the fishery.

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(b) CONFIDENTIALITY OF INFORMATION.—

(1) Any information submitted to the Secretary, a State fishery management agency, or a marine fisheries commission by any person in compliance with the requirements of this Act shall be confidential and shall not be disclosed except—

(A) to Federal employees and Council employees who are responsible for fishery management plan development, monitoring, or enforcement;

(B) to State or Marine Fisheries Commission employees as necessary to further the Department's mission, subject to a confidentiality agreement that prohibits public disclosure of the identity of business of any person;

(C) to State employees who are responsible for fishery management plan enforcement, if the States employing those employees have entered into a fishery enforcement agreement with the Secretary and the agreement is in effect;

(D) when required by court order;

(E) when such information is used by State, Council, or Marine Fisheries Commission employees to verify catch under a limited access program, but only to the extent that such use is consistent with subparagraph (B);

(F) when the Secretary has obtained written authorization from the person submitting such information to release such information to persons for reasons not otherwise provided for in this subsection, and such release does not violate other requirements of this Act;

(G) when such information is required to be submitted to the Secretary for any determination under a limited access program; or

(H) in support of homeland and national security activities, including the Coast Guard's homeland security missions as defined in section 888(a)(2) of the Homeland Security Act of 2002 (6 U.S.C. 468(a)(2)).

(2) Any observer information shall be confidential and shall not be disclosed, except in accordance with the requirements of subparagraphs (A) through (H) of paragraph (1), or—

(A) as authorized by a fishery management plan or regulations under the authority of the North Pacific Council to allow disclosure to the public of weekly summary bycatch information identified by vessel or for haul-specific bycatch information without vessel identification;

(B) when such information is necessary in proceedings to adjudicate observer certifications; or

(C) as authorized by any regulations issued under paragraph (3) allowing the collection of observer information, pursuant to a confidentiality agreement between the observers, observer employers, and the Secretary prohibiting disclosure of the information by the observers or observer employers, in order—

(i) to allow the sharing of observer information among observers and between observers and observer employers as necessary to train and prepare observers for deployments on specific vessels; or

(ii) to validate the accuracy of the observer information collected.

(3) The Secretary shall, by regulation, prescribe such procedures as may be necessary to preserve the confidentiality of information submitted in compliance with any requirement or regulation under this Act, except that the Secretary may release or make public any such information in any aggregate or summary form which does not directly or indirectly disclose the identity or business of any person who submits such information. Nothing in this subsection shall be interpreted or construed to prevent the use for conservation and management purposes by the Secretary, or with the approval of the Secretary, the Council, of any information submitted in compliance with any requirement or regulation under this Act or the use, release, or publication of bycatch information pursuant to paragraph (2)(A).

(c) RESTRICTION ON USE OF CERTAIN INFORMATION.—

(1) The Secretary shall promulgate regulations to restrict the use, in civil enforcement or criminal proceedings under this Act, the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), and the Endangered Species Act (16 U.S.C. 1531 et seq.), of information collected by voluntary fishery data collectors, including sea samplers, while aboard any vessel for conservation and management purposes if the presence of such a fishery data collector aboard is not required by any of such Acts or regulations thereunder.

(2) The Secretary may not require the submission of a Federal or State income tax return or statement as a prerequisite for issuance of a permit until such time as the Secretary has promulgated regulations to ensure the confidentiality of information contained in such return or statement, to limit the information submitted to that necessary to achieve a demonstrated conservation and management purpose, and to provide appropriate penalties for violation of such regulations.

16 U.S.C. 1881a-1881b
MSA §§ 402-403

(d) **CONTRACTING AUTHORITY.**—Notwithstanding any other provision of law, the Secretary may provide a grant, contract, or other financial assistance on a sole-source basis to a State, Council, or Marine Fisheries Commission for the purpose of carrying out information collection or other programs if—

(1) the recipient of such a grant, contract, or other financial assistance is specified by statute to be, or has customarily been, such State, Council, or Marine Fisheries Commission; or

(2) the Secretary has entered into a cooperative agreement with such State, Council, or Marine Fisheries Commission.

(e) **RESOURCE ASSESSMENTS.**—

(1) The Secretary may use the private sector to provide vessels, equipment, and services necessary to survey the fishery resources of the United States when the arrangement will yield statistically reliable results.

(2) The Secretary, in consultation with the appropriate Council and the fishing industry--

(A) may structure competitive solicitations under paragraph (1) so as to compensate a contractor for a fishery resources survey by allowing the contractor to retain for sale fish harvested during the survey voyage;

(B) in the case of a survey during which the quantity or quality of fish harvested is not expected to be adequately compensatory, may structure those solicitations so as to provide that compensation by permitting the contractor to harvest on a subsequent voyage and retain for sale a portion of the allowable catch of the surveyed fishery; and

(C) may permit fish harvested during such survey to count toward a vessel's catch history under a fishery management plan if such survey was conducted in a manner that precluded a vessel's participation in a fishery that counted under the plan for purposes of determining catch history.

(3) The Secretary shall undertake efforts to expand annual fishery resource assessments in all regions of the Nation.

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SEC. 403. OBSERVERS

16 U.S.C. 1881b

(a) **GUIDELINES FOR CARRYING OBSERVERS.**—Within one year after the date of enactment of the Sustainable Fisheries Act, the Secretary shall promulgate regulations, after notice and opportunity for public comment, for fishing vessels that carry observers. The regulations shall include guidelines for determining—

(1) when a vessel is not required to carry an observer on board because the facilities of such vessel for the quartering of an observer, or for carrying out observer functions, are so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized; and

(2) actions which vessel owners or operators may reasonably be required to take to render such facilities adequate and safe.