Proposed Text for Amendment 42
to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs

1. In the Executive Summary on Page 1, add the following in numerical order to the box which lists the current Amendments to the BSAI King and Tanner Crab FMP:

42. Revised Data Collection Program

2. In Section 11.0, titled “Voluntary Three-Pie Cooperative Program,” replace the text under element 14 as well as subsections A through F with the following:

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14. Data Collection Program

The crab rationalization program includes a mandatory economic data collection program which requires owners or leaseholders of catcher vessels, catcher/processors, shoreside crab processors, and stationary floating crab processors, as well as PQS holders that purchase crab deliveries, in the BSAI crab fisheries to submit an economic data report (EDR) on an annual basis. The purpose of the EDR is to collect cost, revenue, ownership, and employment data to provide the Council and NMFS with the information necessary to study the impacts of the crab rationalization program. Participation is mandatory.

14.1 Purpose

This data collection effort is required to address the Council’s original problem statement for the crab rationalization program. That problem statement requires a structure that achieves “equity between the harvesting and processing sectors” and “…economic stability for harvesters, processors and coastal communities.” The Council revised the data collection program in 2012 to improve the quality of data collected and eliminate redundancies with other collections of data.

The data collected is intended to aid the Council and NMFS in assessing the efficacy of the crab rationalization program and to determine its relative impact on fishery participants and communities. The collected data may assist with the development of amendments to the crab rationalization program or could be used to analyze the economic and social impacts of future FMP amendments on industry, regions, and localities.

14.2 Collection of Data

The EDR is administered by NMFS through contracts with Pacific States Marine Fisheries Commission (PSMFC), an independent third party data collection agent. Each owner or leaseholder of the BSAI crab fishing industry must fill out the appropriate EDR form annually.
The data collected is specific to the crab fisheries in the Crab Rationalization Program and includes information on costs of fishing and processing, revenues for harvesters and processors, and employment data.

14.3 Use of data

Data will be supplied to NMFS, Council staff, and any other authorized users according to statutory and regulatory data confidentiality requirements in a blind and unaggregated form. The blind format is intended to safeguard information that is perceived to be highly proprietary and prevent analysts from directly identifying the source of any observations. Specifically, all identifiers associated with a data submitter are eliminated and replaced with a unique number, which does not reveal the identity of the submitter. However, in cases where the data (including identifiers) are requested by NMFS Enforcement, NOAA General Counsel, the Department of Justice, or the Federal Trade Commission for a purpose connected to law enforcement or qualification for quota and other Federal permits, PSMFC will continue to provide the data and the identity of the submitter.

14.4 Verification of Data

The third party data collection agent will verify the data in a manner that assures accuracy of the information supplied by private parties. The data collection agent may review and request for the owner or leaseholder to provide copies of additional data.

14.5 Duration

The data collection program will continue through the life of the crab Crab rationalization Rationalization rationalization Program Program. rationalization Program.

14.6 Failure to Submit Forms

Participation in the data collection program is mandatory. Should a submitter fail to submit the appropriate EDR to PSMFC by the deadline, the infraction will be referred to the Office of Law Enforcement.

14.7 Enforcement of the Data Requirements

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