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NMFS – Sustainable Fisheries
March 27, 2014
Regulatory markup for GOA Trawl EDR– markup in eCFR

Electronic Code of Federal Regulations Title 50: Wildlife and Fisheries
PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA
Subpart A- Definitions

e-CFR Data is current as of March 15, 2014

§ 679.2 Definitions

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Blind data means any data collected from an economic data report by the data collection agent that are subsequently amended by removing personal identifiers, including, but not limited to social security numbers, crew permit numbers, names and addresses, Federal fisheries permit numbers, Federal processor permit numbers, Federal tax identification numbers, State of Alaska vessel registration and permit numbers, and by adding in their place a nonspecific identifier.

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Data collection agent (DCA) means the entity selected by the Regional Administrator to distribute an EDR to a person required to complete it, to receive the completed EDR, to review and verify the accuracy of the data in the EDR, and to provide those data to authorized recipients.

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Designated data collection auditor (DDCA) means an examiner employed by, or under contract to, the data collection agent (DCA) to verify data submitted in an economic data report or the NMFS-designated contractor to perform the functions of a data collection auditor.

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Economic data report (EDR): means the report of cost, labor, earnings, and revenue data required under § 679.65, § 679.94, and § 679.110.

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§ 679.94 Economic data report (EDR) for the Amendment 80 sector and Gulf of Alaska Trawl Catcher/Processors.

(a) Annual Trawl Catcher/Processor Economic Data Report (EDR).

(1) Requirement to submit an EDR. A person who held an Amendment 80 QS permit during a calendar year, or an owner or leaseholder of a vessel that used trawl gear to harvest groundfish in the Western or Central GOA reporting area and that processed that groundfish onboard that vessel during a calendar year must submit a complete Annual Trawl Catcher/Processor Economic Data Report (EDR) for that calendar year by following the instructions on the Annual Trawl Catcher/Processor EDR form.

(2) Deadline. A completed EDR or EDR certification pages must be submitted as required on the form to NMFS for each calendar year on or before 1700 hours, A.l.t., June 1 of the following year.

(3) Information required. The Annual Trawl Catcher/Processor EDR form is available on the NMFS Alaska Region Web site at www.alaskafisheries.noaa.gov, or by contacting NMFS at 1-800-304-4846.

(4) EDR certification pages. Any person required to submit an EDR under paragraph (a)(1) of this section, or their designated representative, if applicable, must submit the EDR certification statement as either:

(i) Part of the entire EDR. Persons submitting the completed EDR must attest to the accuracy and completion of the EDR by signing and dating the certification portion of the EDR form; or

(ii) EDR certification only. Persons submitting a completed EDR certification only must attest that they meet the conditions exempting them from submitting the entire EDR as described in the certification portion of the Annual Trawl Catcher/Processor EDR form and sign and date the certification portion of the EDR form.

(b) Verification of EDR data.

(1) NMFS, the DCA, or the DDCA will conduct verification of information with persons required to submit the Annual Trawl Catcher/Processor EDR, or if applicable, that person's designated representative.

(2) Persons required to submit the Annual Trawl Catcher/Processor EDR or designated representative, if applicable, must respond to inquiries by NMFS, the designated DCA, or the DDCA within 20 days of the date of issuance of the inquiry.

(3) The persons required to submit the Annual Trawl Catcher/Processor EDR or designated representative, if applicable, must provide copies of additional data to facilitate data verification. NMFS, the DCA, or the DDCA may review and request copies of additional data provided by the persons required to submit the Annual Trawl Catcher/Processor EDR form or designated representative, if applicable, including but not limited to, previously audited or reviewed financial statements, worksheets, tax returns, invoices, receipts, and other original documents substantiating the data submitted in an Annual Trawl Catcher/Processor EDR form.

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§ 679.110 Gulf of Alaska Trawl Economic Data Report (EDR).

(a) Requirements to submit an EDR.

(1) GOA Trawl Catcher Vessels. The owner or leaseholder of a catcher vessel with a Limited License Program (LLP) permit endorsed for catcher vessel operation type, and for trawl gear in the Western or Central GOA reporting area during a calendar year must submit a complete Annual Trawl Catcher Vessel Economic Data Report (EDR) for that calendar year by following the instructions on the Annual Trawl Catcher Vessel EDR form.

(2) GOA Shoreside Processors and Stationary Floating Processors. The owner or leaseholder of a shoreside processor or stationary floating processor with a Federal Processor Permit (FPP) that processes groundfish caught by vessels fishing with trawl gear in the Western and Central GOA reporting area must submit a complete Annual Shoreside Processor Economic Data Report (EDR) for that calendar year by following the instructions on the Annual Shoreside Processor EDR form.

(3) Annual Trawl Catcher/Processor Economic Data Report (EDR). The owner or leaseholder of a vessel that used trawl gear to harvest groundfish in the Western or Central GOA reporting area and that processed that groundfish onboard that vessel must submit an Annual Trawl Catcher/Processor EDR as described at § 679.94 for that calendar year.

(b) Deadline. A completed EDR or EDR certification page for:

(1) the Annual Trawl Catcher Vessel Economic Data Report (EDR) or the Annual Shoreside Processor Economic Data Report (EDR) must be submitted to the DCA for each calendar year on or before 1700 hours, A.l.t., June 1 of the following year, or

(2) the Annual Trawl Catcher/Processor Economic Data Report (EDR) must be submitted to NMFS as required at § 679.94(a)(2).

(c) Information required. The Annual Trawl Catcher Vessel EDR, Annual Shoreside Processor EDR, and Annual Trawl Catcher/Processor EDR forms are available on the NMFS Alaska Region Web site at www.alaskafisheries.noaa.gov, or by contacting NMFS at 1-800-304-4846.

(d) EDR certification. Any person required to submit an EDR under paragraph (a) of this section, or the designated representative, if applicable, must submit the EDR certification statement as either:

(i) Part of the entire EDR. Persons submitting the applicable EDR form must attest to the accuracy and completion of the EDR by signing and dating the certification portion of the applicable EDR form; or

(ii) EDR certification only. Persons submitting a completed EDR certification only must attest that they meet the conditions exempting them from submitting the entire EDR as described in the certification portion of the applicable EDR form and sign and date the certification portion of the form.

(e) Verification of EDR data.

(1) NMFS, the DCA, or the DDCA will conduct verification of information with persons required to submit the applicable EDR, or if applicable, that person's designated representative.

(2) Persons required to submit the applicable EDR or designated representative, if applicable, must respond to inquiries by NMFS, the designated DCA, or the DDCA within 20 days of the date of issuance of the inquiry.

(3) The persons required to submit applicable EDR or designated representative, if applicable, must provide copies of additional data to facilitate data verification. NMFS, the DCA, or the DDCA may review and request copies of additional data provided by the persons required to submit the applicable EDR form or designated representative, if applicable, including but not limited to, previously audited or reviewed financial statements, worksheets, tax returns, invoices, receipts, and other original documents substantiating the data submitted in an EDR form.

(f) DCA authorization.

Except for EDR data submitted as required under 679.94(a), the DCA is authorized to release unaggregated EDR data to authorized data users in blind data format only.

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