

**SUPPORTING STATEMENT
SPECIAL SUBSISTENCE PERMITS AND HARVEST LOGS FOR
PACIFIC HALIBUT IN WATERS OFF ALASKA
OMB CONTROL NO.: 0648-0512**

INTRODUCTION

Management of the Pacific halibut fishery in and off Alaska is based on an international agreement between Canada and the United States. This agreement, titled the “Convention between United States of America and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea” (Convention), was signed at Ottawa, Canada on March 2, 1953, and amended by the “Protocol Amending the Convention,” signed at Washington, D.C., March 29, 1979. This Convention, administered by the International Pacific Halibut Commission (IPHC), is given effect in the United States by the [Northern Pacific Halibut Act of 1982](#). The North Pacific Fisheries Management Council (Council) adopted a subsistence halibut policy in October 2000 under the authority of the Halibut Act. A final rule issued at 68 FR 18145 and codified in [50 CFR part 300-Subpart E](#) authorized a subsistence fishery for halibut in Convention waters off Alaska. Halibut subsistence fishery is intended to allow eligible persons to practice the long-term customary and traditional harvest of Pacific halibut for food in a non-commercial manner (see also Office of Management and Budget (OMB) Control No.: 0648-0460, halibut subsistence registration).

This action is a request for renewal for this collection-of-information and addresses the special permits and harvest logs for this fishery.

A. JUSTIFICATION

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

This statement supports a collection-of-information for special permits issued to participants in the Pacific halibut subsistence fishery in waters off the coast of Alaska and any appeals resulting from denials. National Marine Fisheries Service (NMFS) designed the permits to work in conjunction with other halibut harvest assessment measures. Subsistence fishing for halibut has occurred for many years among the Alaska Native people and non-Native people. Special permits in this collection-of-information are initiated in response to the concerns of Native and community groups regarding increased restrictions in IPHC Area 2C and include Community Harvest Permits, Ceremonial Permits, and Educational Permits. NMFS designed the specialized permits as vessel-oriented permits which allow eligible persons to harvest subsistence halibut under reduced gear and harvest restrictions provided the permit is maintained on board during fishing.

Except for enrolled students fishing under a valid Educational Permit, specialized permits require persons fishing under them to also possess a Subsistence Halibut Registration Certificate (SHARC) (see OMB Control No.: 0648-0460) which identifies those persons who are currently eligible for subsistence halibut fishing. Each of the proposed instruments is designed to minimize the reporting burden on subsistence halibut fishermen while retrieving essential information.

NMFS confirms the eligibility of registration applicants based on the information provided on an application form. If eligible, the applicant receives the specialized permit for which he/she applied. Compliance with the registration and reporting system for all specialized permits is required.

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.

One application is used to apply for all three special permits: Subsistence Halibut Ceremonial, Educational, and Community Harvest Permits. Upon completion of subsistence harvest, a harvest log must be submitted to NMFS.

a. Subsistence Halibut Special Permits Application.

Ceremonial and Educational Permits

Ceremonial and Educational Permits are available exclusively to IPHC Area 2C or 3A Alaska Native tribes listed in 50 CFR 300.65(f)(2) and consist of a laminated permit card and a harvest log issued by NMFS. Either permit expires 30 days from its date of issuance. The permit and log of each type must be returned within 15 days following the permit's expiration date regardless of whether halibut were harvested using the permit. Eligible tribes may request and possess multiple Ceremonial Permits at any given time. Each Alaska Native tribe is limited to only one Ceremonial Permit Coordinator per tribe for Ceremonial Permits, or one Authorized Instructor per tribe for Educational Permits.

Community Harvest Permits

Community Harvest Permits (CHP) may be issued to Alaska Native tribes, or to eligible rural communities in the absence of a tribe, provided the tribe or community is listed in § 300.65(f)(1) or (f)(2). An eligible tribe or community may select individual harvesters who possess particular expertise in halibut fishing to harvest halibut on behalf of the community or tribe under reduced gear and harvest restrictions. NMFS will issue five laminated cards and a harvest log to the tribe or community for each approved registration application. The tribe or community must designate a Community Harvest Coordinator as part of the registration process. The CHP expires 1 year from the date of issuance. It is the responsibility of the Community Harvest Coordinator to issue the laminated CHP cards to eligible fisherman. Each fisherman must have a CHP card as well as his/her SHARC on his/her person when fishing under the CHP.

Ceremonial Permits and Community Harvest Permits may be applied for on line through the Internet. Educational Permits may not be applied for on line; rather the participant may complete the form on-screen and print the form. An application may be submitted by an Alaska Native tribe for more than one individual, with the list of individuals or applicants included, rather than submission of a complete application for each person.

Electronic application may be made at:

<https://www.alaskafisheries.noaa.gov/webapps/halibutsubsistence/PermitInitial>

Paper applications may be submitted by mail to:

Restricted Access Management
NMFS, Alaska Region
P.O. Box 21668
Juneau, AK 99802-1668

or by fax to: 907-586-7354

Subsistence Halibut Special Permits Application

Block A. Type of subsistence halibut special permit requested

Indicate whether applying for a community harvest permit, ceremonial permit, or educational permit

Indicate whether applying for a new permit or a renewal of an existing permit. If a renewal, enter permit number

Block B. Subsistence Halibut Community Harvest Permit

Name of Alaska Native tribe or community

Name, address, and daytime telephone number of CHP Coordinator

Attach any previously issued CHP harvest logs

Block C. Subsistence Halibut Ceremonial Permit

Name of Alaska Native tribe or community

Name, address, and daytime telephone number of Ceremonial Halibut Permit Coordinator

Describe occasion of cultural or ceremonial significance

Attach any previously issued ceremonial permit harvest logs from any expired ceremonial permit

Block D. Subsistence Halibut Education Permit

Name of Alaska Native tribe or community

Name, address, and daytime telephone number of Education Permit Instructor

Name, address, and daytime telephone number of Educational Institution or Organization

Course description

Demonstrate enrollment of qualified students

Describe minimum attendance requirements

Describe standards for the successful completion of the educational program

Describe standards for successful completion of the course

Attach any previously issued educational permit harvest logs from any expired educational permit

Ten community harvest permits have been issued in the 3 years since the program began. Three education permits have been issued in the 3 years since the program began. No ceremonial permits were requested. However, the potential still exists for the 38 tribes to request these permits; at this time, we will not revise the numbers used in the burden analysis.

Subsistence halibut special permit application, Respondent	
Total respondents	109
CHP permits (33 tribes)	
Ceremonial permits (38 tribes)	
Educational permits (38 tribes)	
Total annual responses	228
CHP permits (33 x 1 = 33)	
Ceremonial permits (38 x 5 = 190)	
Educational permits, all tribes (5)	
Total annual time burden hours (0.17 x 228 = 38.76)	39 hr
Time per response (10 min/60 min = 0.17)	
Total personnel cost (39 x \$25)	\$975
Total miscellaneous costs (267.76)	\$268
Postage (36 x 0.41= 14.76)	
FAX (36 x \$6 = 216)	
Online (37 x \$1 = 37)	

Subsistence halibut special permit application, Federal government	
Total annual responses	228
Total annual time burden hours (0.17 x 228 = 38.76) Estimated response time (10 min/60 min = 0.17)	39 hr
Total personnel cost (39 x \$25)	\$975
Total miscellaneous costs	0

b. Community Harvest Permit (CHP) Log.

The CHP Coordinator maintains possession of the CHP log at all times and issues the CHP permit card to an eligible subsistence fisherman. The eligible subsistence fisherman returns the CHP permit card and reports his or her catch to the CHP Coordinator upon completion of subsistence fishing under the permit. The CHP Coordinator records this harvest information in a CHP log. The CHP Coordinator returns to NMFS the CHP permit card and CHP log together upon expiration

Community Harvest Permit Harvest Log

Name of Community Harvest Permit Coordinator

Subsistence Fisher Identification

Name of fisher

Community of residence

Date of birth

Tribal affiliation

SHARC number

Indicate YES or NO whether fisher did subsistence halibut fishing during the period on permit

If YES, complete the following harvest information

Date of harvest

Local water body, bay or sound

IPHC Regulatory Area

Number and Pounds of Halibut

Type of gear used

Number of hooks set

Number of incidental lingcod caught

Number of incidental rockfish caught

When maintaining a community harvest log, the coordinator would take an estimated 30 minutes to instruct each fisherman on responsibilities prior to fishing and to record the fisherman's catch information when returning. The 30 minutes is per fisherman. It is estimated that up to three fishermen would fish against the license.

Subsistence halibut community harvest log, Respondent	
Total respondents	33
Total annual responses Frequency of response = 1	33
Total annual time burden hours (0.5 x 3 x 33 = 49.50) Time per response (30 min/60 min) = 0.5 hr Number of fishermen per license = 3	50 hr
Total personnel cost (50 x \$25)	\$1,250
Total miscellaneous cost Postage to mail log (33 x 0.41=13.53)	\$14

Subsistence halibut community harvest log, Federal Government	
Total annual responses	33
Total annual time burden hours (0.5 x 33 = 16.5) Time per response (30 min/60 min = 0.5)	17 hr
Total personnel cost (17 x \$25)	\$425
Total miscellaneous costs	0

c. Subsistence Ceremonial or Educational Permit Harvest Log

Subsistence Ceremonial or Educational Permit Harvest Log

Name of Ceremonial Permit Coordinator or Educational Permit Instructor

Subsistence Fisher Identification

Name of fisher or student

Daytime telephone number and mailing address (number and street, city and state, zip code)

Community of residence

Date of birth

Tribal affiliation

SHARC number (students do not need a SHARC)

Indicate YES or NO whether fisher did subsistence halibut fishing during the period on permit

If YES, complete the following harvest information

Date of harvest

Local water body, bay or sound

IPHC Regulatory Area

Number and weight (in pounds) of halibut

Type of gear used

Number of hooks set

Number of incidental lingcod caught

Number of incidental rockfish caught

When maintaining a ceremonial or educational permit harvest log, the coordinator or instructor would take an estimated 30 minutes to instruct each fisherman on responsibilities prior to fishing and to record the fisherman's catch information when returning. The 30 minutes is per fisherman. It is estimated that up to three fishermen would fish against the license.

Subsistence halibut ceremonial or educational harvest log, Respondent	
Total respondents	76
Total annual responses	152
Frequency of response = 2	
Total annual time burden hours (0.5 x 3 fishermen on license x 152) Time per response (30 min/60 min = 0.5) Number of fishermen per license = 3	228 hr
Total personnel costs (228 x \$25)	\$5,700
Total miscellaneous costs (243.58) Postage (38 x 0.41=15.58) Fax (38 x \$6=\$228)	\$244

Subsistence halibut ceremonial or educational harvest log, Federal Government	
Total annual responses	152
Total annual time burden hours (152 x 0.5) Time per response (30 min/60 min = 0.5)	76 hr
Total personnel costs (76 x \$25)	\$1,900
Total miscellaneous costs	0

c. Appeals Process.

NMFS provides an appeals process to provide administrative due process to those whose applications for a Community Harvest Permit, Ceremonial Permit, or Educational Permit are denied and to those whose permit is subject to revocation.

In every instance in which an administrative determination is made to deny an application or to revoke a permit, NMFS issues a formal Initial Administrative Decision (IAD) to the affected applicant or permit holder. If dissatisfied with the determination, the applicant may appeal to the NMFS Alaska Region Office of Administrative Appeals (OAA) under 50 CFR part 679.43. For permit appeals, the participant must provide a written statement in support of the appeal and must show why the initial determination should be reversed. If the participant does not appeal within 60 days following the issuance of the IAD, the IAD becomes a Final Agency Determination.

Subsistence halibut special permit appeal, Respondent	
Total respondents	2
Total annual responses Frequency of response = 1	2
Total annual time burden hours Time per response = 4 hr	8 hr
Total personnel costs (8 x \$25)	\$200
Total miscellaneous costs Postage (2 x \$1.64 = \$3.28)	\$3

Subsistence halibut special permit appeal, Federal government	
Total annual responses	2
Total annual time burden hours (2 x 25) Time per response = 25	50 hr
Total personnel costs (50 x \$25)	\$1,250
Total miscellaneous costs	0

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with National Oceanic and Atmospheric Administration (NOAA) standards for confidentiality, privacy, and electronic information. See response #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.

Applications for Ceremonial Permits and Community Harvest Permits may be made online through the Internet. Educational Permit applications are “fillable” on the computer screen by participants at the NMFS Alaska Region Home Page at www.alaskafisheries.noaa.gov, then

downloaded, printed, and faxed to NMFS; the extra documentation required for these permits precludes electronic submission.

4. Describe efforts to identify duplication.

None of the information collected as part of this information collection duplicates other collections. This information collection is part of a specialized and technical program that is not like any other.

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

The collection-of-information does not impose a significant impact on small entities.

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

Without the specified permitting and reporting scheme described in this Support Statement, the halibut subsistence community harvest, ceremonial, and educational programs would be unable to proceed.

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

No special circumstances exist that would require information collection to be conducted in a manner inconsistent with OMB guidelines.

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

A *Federal Register* notice, 72 FR 50935 published September 5, 2007, solicited public comment. No comments were received.

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

No payment or gift is provided under this program.

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

This information is used to monitor the subsistence halibut program under the Northern Pacific Halibut Act of 1982 . Responses to this information request are not confidential.

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 issues of a sensitive nature exist under this program.

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

Estimated total respondents: 109. Estimated total responses: 415. Estimated total burden: 325 hr, increased from 140 hr. Estimated total personnel costs: \$8,125, increased from \$3,350. The personnel cost of \$25 per hour is based on the average wage equivalent to a GS-7 employee in Alaska, including COLA.

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 #12 above).

Estimated total annual miscellaneous costs: \$529, decreased from \$983.

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

Estimated total burden hours: 182. Estimated total personnel cost: \$4,550, increased from \$4,301. The personnel cost of \$25 per hour is based on the average wage equivalent to a GS-7 employee in Alaska, including COLA, except for the Appeals Office which is estimated to be \$75 per hour.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

Postage rates were increased from 0.37 to 0.41.

Subsistence Halibut Special Permits Application Adjustments: a decrease of \$454 in miscellaneous costs, \$268 instead of \$726. For the number of participants, 114 incorrectly was used in the calculation instead of 109. Also the former costs were fax and postage, whereas the renewal incorporates lower-cost online applications.

Community Harvest Log Adjustments: an increase of \$2 for miscellaneous costs, \$14 instead of \$12 due to increase in postage. There was an increase of 33 hours in burden, due to more accurate calculation.

Ceremonial or Education Harvest Log Adjustments: an increase of \$2 for miscellaneous costs, \$244 instead of \$242, due to increase in postage. There was an increase of 152 hours in burden, due to more accurate calculation.

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

Information obtained through registration to issue Halibut Subsistence Community Harvest Permits, Ceremonial Permits, and Educational Permits is posted on the NMFS Alaska Region at http://www.fakr.noaa.gov/ram/daily/subsist_other_than_sharc.pdf. The information is posted in lists sorted by holder, by eligible tribe, and by eligible community. In addition, a summary by date of the special permits issued to rural and tribal applicants is posted.

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.

In accordance with OMB requirements, the control number and the expiration date of OMB approval are shown on the application form and harvest logs.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

In accordance with OMB requirements, the certification statement control is shown on the application form and harvest logs.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.