

**SUPPORTING STATEMENT
ALASKA PACIFIC HALIBUT FISHERIES:
SPECIAL SUBSISTENCE PERMITS AND HARVEST LOGS
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 (U.S.). 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. The [Northern Pacific Halibut Act of 1982](#) (Halibut Act) gives this Convention, administered by the International Pacific Halibut Commission (IPHC), effect in the U.S.

The North Pacific Fisheries Management Council (Council) adopted a subsistence halibut policy in October 2000 under the authority of the Halibut Act. This program was approved by the Secretary; regulations that carry out this program have been in effect since May 15, 2003. Subsistence fishing for halibut has occurred for many years among the Alaska Native people and non-Native people. The objectives of the subsistence program were to develop regulations to facilitate enforcement through compatible State and Federal regulations, periodically review petitions for inclusion on the list of eligible communities, improve implementation of the program, and reflect local subsistence fishing practices in all areas. Amendments to the subsistence program were made through changes to the initial regulations in May 2005 and October 2008.

The 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. In Alaska’s coastal areas, subsistence halibut fisheries are local, non-commercial, customary, and traditional food fisheries. Persons eligible to subsistence halibut fish include:

- ◆ Residents of rural communities with customary and traditional uses of halibut
- ◆ Individuals domiciled in a rural area described at § 300.65(g)(3)
- ◆ Members of Federally recognized Alaska Native Tribes with customary and traditional uses of halibut.

This collection of information is for special permits issued to participants in the Pacific halibut subsistence fishery; the permits are designed to work in conjunction with other halibut harvest assessment measures. Special permits in this collection include Community Harvest Permits, Ceremonial Permits, and Educational Permits. Each of the instruments is designed to minimize the reporting burden on subsistence halibut fishermen while retrieving essential information. National Marine Fisheries Service (NMFS) designed the specialized permits as vessel-oriented permits which allow eligible persons to harvest subsistence halibut under reduced gear and harvest restrictions.

The regulations that govern the subsistence halibut fishery are found in the Code of Federal Regulations (CFR) at [50 CFR Part 300 Subpart E](#).

This action is a request for renewal for this information collection. In addition, the name of the collection is changed from “Special Subsistence Permits and Harvest Logs for Pacific Halibut in Waters Off Alaska” to read “Alaska Pacific Halibut Fisheries: Special Subsistence Permits and Harvest Logs.”

A. JUSTIFICATION

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

The halibut subsistence program 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. In Alaska’s coastal areas, subsistence halibut fisheries are local, non-commercial, customary, and traditional food fisheries. 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.

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.

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

a. Subsistence Halibut Special Permits Application.

An Area 2C or 3A community or Alaska Native tribe eligible to fish for subsistence halibut may apply for a Community Harvest Permit (CHP). The CHP would allow a community or Alaska Native tribe to appoint one or more individuals from its respective community or tribe to harvest subsistence halibut from a single vessel under reduced gear and harvest restrictions. Note however that:

NMFS will issue a CHP to a community in Area 2C or 3A only if the applying community is eligible, that is, listed at 50 CFR 300.65(g)(1) and no Alaska Native tribe exists in that community.

NMFS will issue a CHP to an Alaska Native Tribe in Area 2C or 3A only if the applying tribe is listed as eligible in Area 2C or 3A under 50 CFR 300.65(g)(2).

Ceremonial or Educational Permit

Ceremonial and Educational Permits are available exclusively to Alaska Native tribes. An Area 2C or 3A Alaska Native tribe listed in 50 CFR Part 300.65(g)(2) may apply for a Ceremonial or Educational Permit, allowing the tribe to harvest up to 25 halibut per permit issued.

Ceremonial and Educational Permits consist of a single laminated permit card and one harvest log for each type 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.

The Ceremonial or Educational Permit remains in the possession of the Permit Coordinator or other tribal authority when not in use.

Community Harvest Permit (CHP)

An Area 2C or Area 3A community or Alaska Native tribe listed in 50 CFR 300.65(g)(1) or 50 CFR 300.65 (g)(2) may apply for a CHP, allowing the tribe to harvest up to 25 halibut per permit issued. A CHP allows the community or Alaska Native tribe to appoint one or more individuals from its respective community or tribe to harvest subsistence halibut from a single vessel under reduced gear and harvest restrictions. A CHP consists of a harvest log and up to five laminated permit cards

The tribe or community must designate a CHP coordinator as part of the registration process. The CHP coordinator is responsible to issue the laminated CHP cards to eligible fisherman. Each fisherman must have a CHP card as well as his/her SHARC (see OMB Control No. 0648-0460) on his/her person when fishing under the CHP.

The CHP remains in the possession of the Ceremonial Permit Coordinator or other tribal authority when not in use.

Ceremonial Permits and Community Harvest Permits are available online on the NMFS Alaska Region website at <http://www.alaskafisheries.noaa.gov>. Electronic application for CHP and Ceremonial permits may be made at <https://www.alaskafisheries.noaa.gov/webapps/halibutsubsistence/PermitInitial> or fillable, printable forms may be mailed or faxed to NMFS. Educational Permits are not available online but may be completed on a computer, printed, and mailed or faxed to NMFS.

The return of all previously issued harvest logs that are due at the time of application is a prerequisite for receiving additional permits. A community or tribe that fails to return previously issued harvest logs will not receive any additional permit until all previously issued harvest logs are returned to NMFS.

Paper applications may be submitted by mail to:

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

or by fax to: (907) 586-7354

When an Alaska Native tribe submits an application for permits for more than one individual, the permit applications may be submitted with a list of individuals or applicants instead of completing an application for each person.

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. If a renewal, enter permit number

Block B. Subsistence Halibut Community Harvest Permit

Name of Alaska Native tribe or community

CHP Coordinator

Name and daytime telephone number

Mailing address: Number, Street, City, State, and Zip Code

Attachment: any previous CHP harvest logs

Block C. Subsistence Halibut Ceremonial Permit

Name of Alaska Native tribe or community

Ceremonial Halibut Permit Coordinator

Name and daytime telephone number

Mailing address: Number, Street, City, State, and Zip Code

Describe occasion of cultural or ceremonial significance

Attachment: any previous ceremonial permit harvest logs

Block D. Subsistence Halibut Education Permit

Name of Alaska Native tribe or community

Education Permit Instructor

Name and daytime telephone number

Mailing address: Number, Street, City, State, and Zip Code

Educational Institution or Organization

Name and daytime telephone number

Mailing address: Number, Street, City, State, and Zip Code

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.

Attachment: any previous educational permit harvest logs.

Although the potential participation is 38 tribes, each of which could apply for each of the special permits, the actual number of applications issued since 2005 is much less. Three Community Harvest permits were issued in 2006; two in 2008; one in 2009; three in 2010 and six in 2011. Six will be used in this analysis. One ceremonial permit was issued in 2008 and one in 2010. One will be used in this analysis. One education permit was issued in 2005; one in 2009 and one in 2010. One will be used in this analysis.

| Subsistence special permit application, Respondent | |
|---|-------------|
| Total respondents | 8 |
| CHP permits (6) | |
| Ceremonial permits (1) | |
| Educational permits (1) | |
| Total annual responses | 8 |
| Frequency of response = 1 | |
| Total annual time burden hours (1.33) | 1 hr |
| Time per response (10 min x 8 = 80 min) | |
| Total personnel cost (1 x \$25) | \$25 |
| Total miscellaneous costs (7.54) | \$8 |
| Postage (1 x 0.44= 0.44) | |
| Fax (1 x \$6 = 6) | |
| Online (6 x \$0.05 = 0.30) | |
| Photocopy (8 x 2pp x 0.05 = 0.80) | |

| Subsistence special permit application, Federal government | |
|---|-------------|
| Total annual responses | 8 |
| Total annual time burden hours (1.33) | 1 hr |
| Estimated response time (10 min x 8 = 80 min) | |
| Total personnel cost (1 x \$25) | \$25 |
| 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 Log

Name of Community Harvest Permit Coordinator

Subsistence Fisher Identification

 Name of fisher

 Community of residence

 Date of birth

 Tribal affiliation

 SHARC number

Indicate 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 (6 CHP coordinators) 3 fishermen per CHP | 18 18 |
| Total annual responses Frequency of response = 1 | |
| Total annual time burden hours Time per response = 30 min x 18 = 9 | 9 hr |
| Total personnel cost (9 x \$25) | \$225 |
| Total miscellaneous cost (8.82) Postage to mail log (18 x 0.44= 7.92) Photocopy (18 x 0.05 = 0.9) | \$9 |

| Subsistence halibut community harvest log, Federal Government | |
|---|--------------|
| Total annual responses | 18 |
| Total annual time burden hours (4.5) Time per response = 15 min | 5 hr |
| Total personnel cost (5 x \$25) | \$125 |
| Total miscellaneous costs | 0 |

c. Subsistence Ceremonial or Educational Permit Harvest Log

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

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

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

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 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

Additionally, the educational permit must include:

- The name and address of the educational institution or organization
- Demonstration of the enrollment of qualified students
- Description of the minimum attendance requirements of the educational program; and
- Description of the standards for the successful completion of the educational program.

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 (1 Ceremonial coordinator) (1 Educational instructor) 3 fishermen x 2 coordinators | 6 |
| Total annual responses Frequency of response = 1 | 6 |
| Total annual time burden hours Time per response = 30 min | 3 hr |
| Total personnel costs (3 x \$25) | \$75 |
| Total miscellaneous costs (2.93) Postage (6 x 0.44 = 2.64) Photocopy (6 x 1pp x.05 = 0.30) | \$3 |

| Subsistence halibut ceremonial or educational harvest log, Federal Government | |
|--|-------------|
| Total annual responses | 6 |
| Total annual time burden hours (1.5) Time per response = 15 min | 2 hr |
| Total personnel costs (2 x \$25) | \$50 |
| Total miscellaneous costs | 0 |

d. 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.

No permit has been denied up to this point. For purposes of this analysis, 1 response will be used.

| Subsistence special permit appeal, Respondent | |
|--|--------------|
| Total respondents | 1 |
| Total annual responses | 1 |
| Frequency of response = 1 | |
| Total annual time burden hours | 4 hr |
| Time per response = 4 hr | |
| Total personnel costs (4 x \$25) | \$100 |
| Total miscellaneous costs | \$1 |
| Postage (1 x \$0.88 = \$0.88) | |

| Subsistence special permit appeal, Federal government | |
|--|--------------|
| Total annual responses | 1 |
| Total annual time burden hours (2 x 25) | 25 hr |
| Time per response = 25 hr | |
| Total personnel costs (25 x \$25) | \$625 |
| 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. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See 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.

Application for Ceremonial Permits, Community Harvest and Educational Permits are available online and may be submitted online, through the Internet at www.alaskafisheries.noaa.gov. Educational Permit applications are “fillable” on the computer screen by participants at the NMFS Alaska Region Home Page at www.alaskafisheries.noaa.gov, then may be downloaded, printed, and mailed or faxed to NMFS (they cannot be emailed as additional documentation

needs to be included, as described in Question 2, Information Collection b. Logbooks and permit cards are mailed to permit holders.

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.

A person must be a resident of a rural place listed in the table at 50 CFR 300.65(f)(1) or an identified member of a federally recognized Alaska Native tribe in the table at 50 CFR 300.65(f)(2) to be eligible to harvest subsistence halibut. These eligible persons are small entities; either individuals, households, or Tribal Governments. There are a possible 38 tribes eligible for these permits, and 8 actual participants. 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 Supporting Statement, the halibut subsistence program would be unable to proceed. In addition, much needed information on the halibut subsistence fishery would be lost.

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

Not Applicable.

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, published December 17, 2010 (75 FR 78973) solicited public comment. One comment was received. The commenter urged continued and enhanced data collection in the Alaska subsistence fishery.

NMFS continues to work with IPHC and the Alaska Department of Fish and Game (ADF&G) to improve data collection and monitoring of the entire Pacific halibut resource in the waters off Alaska.

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 and this information is stated on the forms.

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: 33, decreased from 109. Estimated total responses: 33, decreased from 415. Estimated total burden: 17 hr, decreased from 325 hr. Estimated total personnel costs: \$425, decreased from \$8,125. The personnel cost \$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 Question 12 above).

Estimated total annual miscellaneous costs: \$21, decreased from \$529.

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

Estimated total burden hours: 33 hr, decreased from 182. Estimated total personnel cost: \$825, decreased from \$4,550. The personnel cost \$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.

Adjustments were made based on using the actual number of respondents in the calculations instead of estimates and increased postage (from 0.41 to 0.44).

Subsistence Halibut Special Permits Application Adjustments: a decrease in respondents of 101, 8 instead of 109, a decrease of 220 responses, 8 instead of 228, a decrease of 38 hours, 1 instead of 39, a decrease of \$260 in miscellaneous costs, \$8 instead of \$268.

Community Harvest Log Adjustments: A decrease of 15 respondents and responses, 18 instead of 33, a decrease of 41 hours in burden, 9 hr instead of 50 hr, a decrease of \$5 for miscellaneous costs, \$9 instead of \$14.

Ceremonial or Education Harvest Log Adjustments: A decrease of 70 respondents, 6 instead of 76, a decrease of 146 responses, 6 instead of 152, a decrease of 225 hours in burden, 3 hr instead of 228 hr, a decrease of \$241 for miscellaneous costs, \$3 instead of \$244.

Permit Appeals Adjustments: A decrease of one respondent and response, one instead of two, a decrease of four hours, four instead of eight, a decrease of \$2 for miscellaneous costs, \$1 instead of \$3.

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.alaskafisheries.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.

Not Applicable.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.