

**SUPPORTING STATEMENT
ALASKA PACIFIC HALIBUT FISHERIES:
CHARTER RECORDKEEPING
OMB CONTROL NO. 0648-0575**

INTRODUCTION

The International Pacific Halibut Commission (IPHC), the North Pacific Fishery Management Council (Council), and the National Oceanic and Atmospheric Administration's (NOAA), National Marine Fisheries Service (NMFS) manage fishing for Pacific halibut (*Hippoglossus stenolepis*) through regulations established under authority of the [Northern Pacific Halibut Act of 1982](#), 16 U.S.C. 773c (Halibut Act). The Council adopted management measures for a guided sport charter fishery in June 2007 under the authority of the Halibut Act in IPHC Regulatory Area 2A and Area 2C (Southeast Alaska) to a specified guideline harvest level (GHL). The IPHC promulgates regulations governing the Pacific halibut fishery under the Convention between the United States (U.S.) and Canada for the Preservation of the Halibut Fishery of the North Pacific Ocean and Bering Sea (Convention), signed at Ottawa, Ontario, on March 2, 1953, as amended by a Protocol Amending the Convention (signed at Washington, D.C., on March 29, 1979). Regulations that implement this collection-of-information are found at [50 CFR part 300.60 through 300.66](#) and at [50 CFR 679.5\(l\)\(7\)](#).

The final regulations include recordkeeping and reporting measures codified at 50 CFR 300.65 that require the submission of Alaska Department of Fish and Game (ADF&G) Saltwater Sport Fishing Charter Trip Logbook (charter logbook) data sheets for halibut charter vessels operating in IPHC Areas 2C and 3A.

The harvest of Pacific halibut occurs in three fisheries – commercial, subsistence, and recreational or charter. The commercial fishery, named the Alaska Pacific Fisheries: Individual Fishing Quota (IFQ) Program, is described in OMB Control No. 0648-0272. The subsistence fishery is described in two collections, named the Alaska Pacific Halibut Fisheries: Subsistence Program Registration and Marking of Gear (OMB Control No. 0648-0460) and Alaska Pacific Halibut Fisheries: Subsistence Permits and Harvest Logs (OMB Control No. 0648-0512). The charter (or recreational) fishery is described in this collection (OMB Control No. 0648-0575) and Alaska Pacific Halibut Fisheries: Charter Permits (OMB Control No. 0648-0592).

Additional Pacific halibut fishing mortality occurs in other fisheries as bycatch or incidental catch while targeting other species. This halibut bycatch is caught but cannot be used for human food, except under the Halibut Donation Program (OMB Control No. 0648-0316).

This action supports revision and extension of the existing Charter Halibut Program collection-of-information. In addition, this action changes the collection name from “Harvest of Pacific Halibut by Guided Sport Charter Vessel Anglers off Alaska: Charter Logbook” to read “Alaska Pacific Halibut Fisheries: Charter Recordkeeping.”

A. JUSTIFICATION

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

Halibut management in U.S. Convention waters, which include State and Federal waters, is an international and Federal responsibility under the Convention and the Halibut Act. To manage halibut effectively, international and Federal managers need information on halibut fishing effort and harvest by the guided sport charter sector of the fishery. To avoid duplicative surveys of and reporting by industry, NMFS depends on data gathered by the ADF&G through its ongoing surveys of sport charter fishermen. This information is used by the IPHC to set annual catch limits, and by the Council and NMFS to evaluate the potential effects of alternative restrictions on Area 2C guided sport harvests, charter vessel limited entry in Areas 2C and 3A, and a catch sharing plan.

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.

The program limits the number of permits that may be issued, not the number of vessels that may be used for fishing. A vessel engaged in guided charter operations must have permits onboard, but, as noted, the permit is not endorsed to a specific vessel. The permit can be used on more than one vessel, even during a single day, so long as it is only used on one vessel at a time. Thus, a single permit could be used to support trips by multiple vessels during the course of a single day.

a. **ADF&G Saltwater Sport Fishing Charter Trip Logbook (Charter Logbook).**

ADF&G developed the charter logbook in 1998 to provide information on actual participation and harvest by individual vessels and businesses in the guided sport fisheries. The charter logbook is the primary reporting requirement for operators in the charter (guided sport) fisheries for all species harvested in saltwater in IPHC Reporting Areas 2C and 3A. ADF&G compiles the charter logbook data to show where fishing occurs, the extent of participation, and the species and the numbers of fish caught and harvested by individual anglers. Since 1998, the charter logbook design has undergone annual revision, driven primarily by changes or improvements in the collection of fisheries data.

The charter vessel guide is responsible for complying with the reporting requirements. The person to whom the ADF&G issues the Charter Logbook is responsible for ensuring that the charter vessel guide complies with the reporting requirements. Fishing information for each trip or for a single day must be recorded before the halibut are offloaded and/or charter vessel anglers disembark from the vessel. Real time completion of the logbook allows enforcement and sampling officials to verify catch by angler on a specific trip.

A charter vessel fishing trip may occur on or after the first Monday in April and on or before December 31. The vessel operator must submit charter logbook data sheets to the ADF&G

postmarked or received no later than 14 calendar days after the Monday of the fishing week in which the halibut were caught and retained. The charter logbook sheets may be submitted by mail or may be placed in one of the ADF&G drop boxes available at many ports, in which case no postage would be required.

Because submittal of charter logbook sheets to ADF&G is already required under current ADF&G requirements, no additional postage costs are associated with the action. Each fishing trip would be recorded on one logsheet, unless halibut are caught in both Area 2C and in Area 3A, in which case an additional logsheet would be used to record halibut caught in the second area. Out of all charter vessel halibut fishing trips, use of this additional logsheet will occur only about 23 times per year. A separate logbook data sheet is required for each charter vessel fishing trip if two or more trips were taken on the same day. A separate logbook data sheet is required for each calendar day that halibut are caught and retained during a multi-day trip.

The charter halibut business owner must retain and make available completed original charter logbooks for a period of two years following the charter vessel fishing trip.

Charter logbook

Charter vessel angler signature requirement.

Each charter vessel angler who retains halibut caught in Area 2C or in Area 3A must acknowledge that his or her information and the number of halibut retained are recorded correctly by signing the Charter Logbook data sheet on the line that corresponds to the angler's information.

Charter vessel guide requirements.

If halibut were caught and retained in Area 2C or in Area 3A, the charter vessel guide must record the following ADF&G sport fishing guide license number held by the charter vessel guide
Month and day for each charter vessel fishing trip taken.

Angler sport fishing license number and printed name. Before a charter vessel fishing trip begins, record for each charter vessel angler the Alaska Sport Fishing License number for the current year, resident permanent license number, or disabled veteran license number, and print the name of each paying and nonpaying charter vessel angler on board that will fish for halibut. Record the name of each angler not required to have an Alaska Sport Fishing License or its equivalent.

Number of halibut retained. For each charter vessel angler, record the total number of halibut caught and retained.

Signature. Acknowledge that the recorded information is correct by signing the logbook data sheet.

Angler signature. The charter vessel guide is responsible for ensuring that charter vessel anglers comply with the signature requirements.

Charter Logbook Vessel Guide Respondents	
Total number of respondents	1,109
Total annual responses (34 x 1,109) Frequency of response = 34 trips ea vessel	37,706
Total annual time burden (2513.7) Estimated response time = 4 min	2,514 hr
Total personnel costs Cost per hour = \$25	\$62,850
Total miscellaneous costs	\$0

Federal use of the ADF&G charter logbook and fishing license information requires additional staff time. Federal staff are required to coordinate with ADF&G and respond to agency needs. A part-time NMFS or NMFS OLE staff person is required to process and query operator, business, and angler information. This person also assists NMFS OLE with the collection of

evidence, administrative correspondence, preparation of cases, and maintenance of the database by working closely with NMFS programmers and ADF&G staff as needed. The annual cost for a GS-9 part-time NMFS staff person (estimated at \$25/hr) is approximately \$50,000 annually.

Programmer time was required to build and maintain a secure Federal database. Periodic data transfers occur, with programmer time required to maintain the Federal database and workstation structure. Maintenance of this database is minimal, requiring one to two weeks of programmer time annually. The estimated cost for NMFS programmer time is \$2,500 to \$5,000 annually.

Enforcement requires regular on-site observations and visits by enforcement officers to areas where halibut are harvested and landed by charter vessels. These areas include remote areas, such as lodges and urbanized areas. The enforcement officers check for failures to record retained halibut, incomplete information in the logbook, and inaccurate information in the logbook. An additional four enforcement officers were hired and are based in Juneau, Sitka, and Ketchikan, Alaska. The cost for four additional enforcement officers is approximately \$600,000 annually.

Charter Logbook, Federal Government	
Total Responses	0
Total annual time burden	0
Total personnel costs	\$655,000
Part-time NMFS staff person = \$50,000	
Programmer, 1-2 weeks at \$2,250 per week = \$5,000	
4 Enforcement officers @ \$150,000 per year = \$600,000	
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 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.

The charter logbook is a permanently bound, paper logbook issued by ADF&G that is made available to each person receiving a business license to operate as a sport fish charter vessel business. The charter logbooks are maintained onboard charter vessels. Per the ADF&G procedure, charter logbooks are not available for the public to print from the Internet.

4. Describe your 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 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.

Halibut charter businesses regulated under this action are all or are almost all expected to be small entities, based upon Small Business Administration criteria that their annual gross revenue, from all sources, does not exceed \$7.0 million. This 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.

Unless a mechanism for halibut transfer between sectors (IFQ, charter, subsistence) is established, an environment of instability and conflict in halibut fisheries will continue. Without this collection, the Council identified the following consequences, with respect to the recent growth of halibut charter operations.

- ◆ The recent growth of charter operations may contribute to overcrowding of productive grounds and declining halibut harvests per unit of effort for historical charter, commercial IFQ, and subsistence fishermen in some areas.
- ◆ As there is currently no limit on the annual harvest of halibut in the charter fishery, an open-ended reallocation from the commercial IFQ to the charter industry is occurring. This reallocation may increase, if the projected growth of the charter industry occurs. The economic and social impact on the commercial IFQ fleet of this open-ended reallocation may be substantial.
- ◆ In some areas, community stability may be affected as traditional sport, subsistence, and commercial IFQ fishermen are displaced by charter permit holders. The uncertainty associated with the present situation and the conflicts that are occurring between the various user groups may also impact community welfare.
- ◆ Information is lacking on the socioeconomic composition of the current charter industry. Information is needed that tracks the effort and harvest of individual charter operations and also tracks changes in business patterns.

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

The submission of ADF&G charter logbook sheets to ADF&G is dependent on current State requirements for guided sport fish fisheries off Alaska: a logsheet is required for every trip.

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 on December 20, 2010 (75 FR 79341), solicited public comment.

One comment was received. The commenter stated that the Alaska halibut resource is in decline and urges that existing data collection systems be enhanced and substantially improved for the charter sector. The commenter went on to praise the new halibut Catch Sharing Plan (CSP) to be implemented in 2012 in the Alaska halibut charter fishery. The commenter considers the enhanced halibut charter accounting systems imperative and urges that ALL charter harvest be monitored through the system developed for leased fish under the CSP.

NMFS agrees with the commenter that effective conservation and management of fishery resources depends on accurately accounting for all harvests. The new halibut CSP is seen as a step in the right direction (pending Proposed Rule 0648-BA37 with an information collection request submitted to OMB at that time).

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

No payment or gift will be provided under this program.

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

Responses to this information request are confidential under section 402(b) of the [Magnuson-Stevens Act](#) as amended in 2006. Responses are also confidential under [NOAA Administrative Order 216-100](#), which sets forth procedures to protect confidentiality of fishery statistics.

The information submitted in the ADF&G logbook collected is protected by Alaska State confidentiality statute AS 16.05.815.

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.

This information collection does not involve information of a sensitive nature.

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

Estimated total respondents: 1,109, down from 93,090. Estimated total responses: 37,706, down from 116,302. Estimated total burden hours: 2,514, down from 3,134 hr. Estimated total personnel costs: \$ 62,850 down from \$78,350.

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 miscellaneous costs: 0.

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

Estimated total personnel costs: \$ 655,000.

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

This action contains:

Program change: In the previous submission, there was a separate form submitted that all anglers signed to verify their catch. The angler signatures were, and are, collected on the back of the logbook sheet. The separate form was not actually used, and the burden for angler signature is considered to be part of the logbook response.

Angler respondents decreased from 92,394 to 0; responses, from 92,394 to 0; and hours, from 1,540 to 0).

Adjustment: The number of permit holders is based on actual practice.

Charter vessel logbook respondents increased from 696 to 1,109; responses, from 23,908 to 37,706; and hours, from 1,594 to 2,514.

Total net adjustments and changes:

- A decrease of 91,981 respondents, 1,109 instead of 93,090
- A decrease of 78,596 responses, 37,706 instead of 116,302
- A decrease of 620 hr burden, 2,514 hr instead of 3,134 hr

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

The overall results of the information collection will be made available to the public through the Council and IPHC meeting processes. This information is typically available on the Internet at <http://www.fakr.noaa.gov/npfmc/default.htm> and at <http://www.iphc.washington.edu/halcom/default.htm>.

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.

Because the charter logbook is a document of ADF&G, the OMB number and expiration date will not be displayed.

18. Explain each exception to the certification statement.

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.