

JUSTIFICATION FOR CHANGE
ALASKA PACIFIC HALIBUT FISHERIES: CHARTER RECORDKEEPING
OMB CONTROL NO. 0648-0575

INTRODUCTION

This request is for revision of an existing information collection due to a Catch Sharing Plan (CSP) for Halibut Fisheries in Alaska [associated rule, second proposed rule, RIN 0648-BA37]

Management of, and regulations for, Pacific halibut (*Hippoglossus stenolepis*) in Alaska are developed on the international, Federal, and state levels by the International Pacific Halibut Commission (IPHC), the North Pacific Fishery Management Council (Council), National Marine Fisheries Service, Alaska Region (NMFS), and the State of Alaska Department of Fish and Game (ADF&G). The IPHC and NMFS manage fishing for Pacific halibut through regulations established under authority of the Convention between the United States Halibut Fishery of the Northern Pacific Ocean and Bering Sea (Convention), the [Northern Pacific Halibut Act of 1982](#) (Halibut Act, 16 U.S.C. 773c), and Section 303(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.). Regulations that implement this collection-of-information are found at [50 CFR part 300.60-.66](#) and at [50 CFR 679.5\(l\)\(7\)](#).

NMFS proposed regulations to implement a CSP (76 FR 44156, July 22, 2011) for the guided sport and commercial fisheries for Pacific halibut in IPHC Regulatory Areas 2C (Southeast Alaska) and 3A (Central Gulf of Alaska). NMFS extended the public comment period to September 21, 2011. In October 2011, in part due to questions raised in the public comments on the proposed rule, NMFS and the Council started further analysis and clarification of provisions of the proposed Catch Sharing Plan.

A. JUSTIFICATION

The Council intended the CSP to address the instability between the commercial longline sector, which operates in a completely rationalized fishery with individual harvest shares that rise and fall with abundance, and the charter sector, which experienced many years of sustained annual growth in a fully utilized resource. The primary objectives of the CSP are to change the annual process of allocating halibut between the charter and commercial fisheries in Area 2C and Area 3A, establish allocations that balance the differing needs of the charter and commercial sectors that also float with varying levels of annual halibut abundance, and specify a process for determining harvest restrictions for charter anglers that are intended to limit harvest to the annual charter fishery catch limit.

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

NMFS implemented a catch sharing plan for the guided sport (charter) and commercial (IFQ) fisheries for Pacific halibut in waters of International Pacific Halibut Commission (IPHC) Regulatory Areas 2C (Southeast Alaska) and 3A (Central Gulf of Alaska). This catch sharing plan changed the annual process of allocating halibut between the charter and IFQ fisheries in Area 2C and Area 3A, and established allocations for each sector. To allow flexibility for individual IFQ and charter fishery participants, the catch sharing plan also authorized annual

transfers of IFQ halibut quota to charter halibut permit holders for harvest in the guided sport fishery.

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.

a. ADF&G Saltwater Sport Fishing Charter Trip Logbook (Charter Logbook) [REVISED burden and cost].

The charter logbook is the primary reporting requirement for charter fishery operators for all species harvested in saltwater in IPHC Reporting Areas 2C and 3A. ADF&G developed the charter logbook data to provide information on actual participation and harvest by individual anglers and businesses in charter fisheries for halibut as well as other state-managed species.

The charter vessel guide (guided angler fish (GAF) permit holder) is responsible for complying with the reporting requirements. For charter vessel fishing trips completed on a single day, charter vessel guides would be required to complete entries in the charter logbook before any halibut are offloaded or charter vessel anglers disembark from the vessel. For multi-day charter vessel fishing trips, charter vessel guides would be required to complete the GAF reporting requirements in a charter logbook by the end of each day of the trip. NMFS also would use the charter logbook to verify information reported in the GAF electronic reporting system.

Charter anglers in Area 2C are required to sign the charter logbook to verify the accuracy of the reported catch. NMFS would extend the signature requirement to include charter anglers in Area 3A as part of the Catch Sharing Plan. The charter vessel guide must acknowledge that the recorded information is correct and complete by signing the logbook data sheet.

The Federal government does not incur any costs or burden for the charter logbook, as the paperwork goes to the Alaska Department of Fish and Game.

Charter logbook

Charter vessel guide requirements

- ADF&G sport fishing guide license number held by the charter vessel guide
- Month and day of each charter vessel fishing trip
- GAF permit number under which the GAF were retained
- Angler sport fishing license number and printed name
- ADF&G statistical area
- CHP permit number
- Guide signature and ensure angler signature

Charter Logbook Vessel Guide, Respondents	
Total number of guide respondents	696
Total annual responses (34 x 696)	23,664
Frequency of response = 34 trips / vessel	
Total annual time burden	1,972 hr
Estimated response time = 5 min	
Total personnel costs (\$25/hr)	\$49,300
Total miscellaneous costs	\$0

Charter Logbook Vessel Guide, Federal Government	
Total number of respondents	0
Total annual responses	0
Total annual time burden	0
Total personnel costs	0
Total miscellaneous costs	0

b. GAF electronic landing report (per-trip) [REVISED burden and cost]

In addition to the charter logbook, a GAF permit holder must use the GAF permit log and NMFS-approved electronic reporting system to submit a GAF landing report through an Internet website.

An Internet-based reporting system for GAF electronic reporting is used because it the most efficient and convenient method for charter operators to report GAF. A GAF permit holder must obtain at his or her own expense the technology (computer and Internet connection) to support the NMFS-approved electronic reporting system for GAF halibut landings. The GAF program is voluntary, and charter permit holders can weigh their own costs and benefits of participating in the program.

The GAF permit holder must enter information into the GAF electronic landing report for each GAF caught and retained by an angler on a charter vessel fishing trip. A GAF permit holder must submit a GAF electronic landing report by 2359 hours Alaska local time on the last day of a fishing trip, including information for each day on which a charter vessel angler retained GAF authorized by the GAF permit held by that permit holder.

Upon receipt of an electronic GAF landing report, NMFS' computers would respond with a confirmation number as evidence of receipt of the harvest report by NMFS and that the GAF account was properly debited. This confirmation number would allow cross reference of the charter logbook data and the electronic GAF report by management and NOAA Fisheries Office for Enforcement (OLE) staff.

NMFS would use the electronic GAF reporting system to manage GAF accounts and report GAF lengths. Near real-time reporting of GAF landings, and other GAF account and permit information is essential to support participant access to current account balances for account management and regulatory compliance, and to monitor account transfers and GAF landings history. Management personnel need near real-time account information to manage permit accounts, conduct transfers, and assess fees. Enforcement personnel need real-time account information to monitor transfers between IFQ and GAF and monitor compliance with authorized GAF harvests and other program rules.

A manual GAF landing report is available in case the Internet or computer system is down or if the respondent needs to change a previously reported GAF landing. It is estimated within the burden and cost of the electronic GAF landing report.

GAF electronic landing report

ADF&G charter logbook number
Vessel identification number for vessel on which GAF were caught and retained
 ADF&G vessel registration (AK number) or
 U.S. Coast Guard (USCG) documentation number
GAF permit number
ADF&G sport fishing guide license number held by the charter vessel guide
Total number of GAF caught and retained
Total length (in inches) of each GAF retained.
 Halibut lengths are measured in a straight line from the anterior-most tip of the lower jaw
 to the middle of the tail
Community charter halibut permit only
 community or port where charter vessel fishing trip began and ended

Manual GAF report (optional)

Confirmation Number
Reason for Submitting Manual Reporting Form
Date and time reported
GAF Permit Number
GAF Permit Holder ID Number
GAF Permit Holder Name
Guide License Number
ADF&G Saltwater Logbook Number
USCG Vessel Documentation Number OR
State Vessel Registration Number
Trip Start Location (CQE only)
Trip End Location (CQE only)
Number of GAF Harvested
Multi-day Fishing Trip (circle YES or/ NO)
Harvest Date
Logbook Page Number
Halibut Length
Name of Person Submitting Report
Contact Number
Signature
Data Tech Signature and Date (NMFS only)

GAF Confirmation (issued by NMFS computer upon receipt of a GAF electronic report)

Confirmation Number
Date Reported
GAF Permit number
GAF Permit Holder
Permit Holder Name
Guide License Number
ADF&G Saltwater Logbook Number
USCG Number
AK License Number
Trip Start City
Landing City
Number of GAF Reported
Multi-day Report (YES or NO)
Harvest Date Log Page Number
Fish Length

The estimated time to record information on the GAF electronic landing report is 5 minutes: 1 minute to measure GAF and 4 minutes to submit the report electronically.

GAF Electronic Landing Report, Respondents	
Total number of respondents	696
Total annual responses (34 x 696) Frequency of response = 34 trips / vessel	23,664
Total annual time burden Estimated response time = 5 min	1,972 hr
Total personnel costs (\$25/hr)	\$49,300
Total miscellaneous costs (1183.20) Online cost per response \$0.05 x 23664	\$1,183

GAF Electronic Landing Report, Federal Government	
Total number of respondents	0
Total annual responses	0
Total annual time burden	0
Total personnel costs	0
Total miscellaneous costs	0

c. GAF permit log (NEW)

As mentioned above, upon receipt of a GAF landing report from a GAF permit holder, NMFS would respond with a confirmation number as evidence that NMFS received the GAF harvest report and the GAF account was properly debited. The GAF permit holder would record this confirmation number on the GAF permit log, which is printed on the back of the corresponding GAF permit. This requirement would facilitate on-the-water enforcement and improve the accuracy of the GAF lengths reported electronically to NMFS.

The information recorded on the GAF permit log would be available for OLE officers to compare against records found upon boarding a vessel. This comparison would preserve the accuracy of the online reporting; otherwise the guides would need to remember the GAF lengths until the end of the trip.

A GAF permit holder may have several permits and logs by the end of the season. These documents must be retained for 2 years for inspection upon request of an OLE officer.

GAF Permit Log

- Date halibut landed
- Total length in inches
- Electronic GAF landing report confirmation number

GAF Permit Log, Respondents	
Total number of respondents	696
Total annual responses (34 x 696) Frequency of response = 34 trips / vessel	23,664
Total annual time burden (788.80) Estimated response time = 2 min	789 hr
Total personnel costs (\$25/hr)	\$19,725
Total miscellaneous costs (1183.20) Online cost per response \$0.05 x 23664	\$1,183

GAF Permit Log, Federal Government	
Total number of respondents	0
Total annual responses	0
Total annual time burden	0
Total personnel costs	0
Total miscellaneous costs	0

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. 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.

The GAF electronic reporting system works online through the Internet (see <https://alaskafisheries.noaa.gov/webapps/efish/login>).

The GAF permit log is printed on the back of the corresponding GAF permit (see <http://alaskafisheries.noaa.gov/ram/charter/gafpermitlog.pdf>).

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.

The Small Business Administration (SBA) specifies that for marinas and charter or party vessels, a small business is one with annual receipts less than \$6.0 million. The largest of these charter vessel operations, which are lodges, may be considered large entities under SBA standards, but that cannot be confirmed because NMFS does not collect economic data on lodges. Thus, all charter vessel operations regulated by the proposed CSP would be considered small entities, because they would be expected to have gross revenues of less than \$6.0 million on an annual basis. In addition, this action directly regulates small entities representing small, remote communities in Areas 2C and 3A. An eligible community must be represented by a non-profit community quota entity (CQE) approved by NMFS.

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. The Council identified the following consequences of not having this collection, 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 ADF&G requirements for all guided sport fish fisheries off Alaska.

8. Provide information on 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.

The Council intended the CSP to be a comprehensive management program for the charter halibut fisheries in Area 2C and Area 3A. In July 2011, NMFS published a proposed rule for the CSP (76 FR 44156, July 22, 2011) and received more than 4,000 public comments on it. There were no comments on the information collection requirements. The majority of the comments were regarding the proposed allocation percentages and the fixed matrix of charter fishery harvest restrictions that would have been automatically triggered by changes in annual halibut

catch limits. In October 2011, in part due to questions raised in the public comments on the proposed rule, NMFS and the Council decided that further analysis and clarification of provisions of the proposed CSP were required.

In December 2011, the Council requested a supplemental analysis of new information since its 2008 selection of the CSP preferred alternative, including an evaluation of the management implications and economic impacts of the proposed CSP at varying levels of halibut abundance. In October 2012, the Council recommended a revised preferred alternative for the CSP. The 2012 Council motion, upon which this proposed rule is based, is available at www.fakr.noaa.gov/npfmc/PDFdocuments/halibut/CSPMotion1012.pdf.

A second proposed rule was published on June 28, 2013 (78 FR 39122); comments to this second rule were extended to August 26, 2013. The final rule was published December 12, 2013 (78 FR 75844). There were no comments on the information collection requirements.

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.

As stated on the NOAA forms, 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 charter 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: 696. Estimated total responses: 70,992, decreased from 74,120. Estimated total burden hours: 4,733, decreased from 5,559 hr. Estimated total personnel costs: \$118,325, increased from \$ 88,750.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.

Estimated total miscellaneous costs: \$2,366, increased from \$1,853.

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

Estimated total responses: 23,664. Estimated total burden hours: 394 hr. Estimated total personnel costs: \$669,578, increased from \$ 664,850.

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

The **currently approved** numbers for the **GAF landing report** are: 37,060 responses, 3,088 hours, and \$1,853 miscellaneous costs. The **revised** numbers for the GAF landing report are: 23,664 responses, 1,972 hours, and \$1,183 miscellaneous costs. Difference: decrease of 13,396 responses and decrease of 1,116 hours.

The **currently approved** numbers for the **charter logbook vessel guide** are: 37,060 responses, 2,471 hours, and \$0 miscellaneous cost. The **revised** numbers for the **charter logbook vessel guide** are: 23,664 responses, 1,972 hours, and \$0 miscellaneous cost.

The added numbers for the **GAF permit log**: 23,664 responses, 789 hours, and \$1,183 miscellaneous costs.

Adjustments: A net decrease of 26,792 responses, 1,615 hours and \$670.

Charter halibut logbooks, vessel guide

a decrease of 13,396 responses, 23,664 instead of 37,060
a decrease of 499 hr burden, 1,972 hr instead of 2,471 hr
an increase of \$9,850 personnel costs, \$49,300 instead of \$39,450.

GAF Electronic Landing Report

a decrease of 13,396 responses, 23,664 instead of 37,060
a decrease of 1,116 hr burden, 1,972 hr instead of 3,088 hr
a decrease of \$670 miscellaneous costs, \$1,183 instead of \$1,853.

Program Change:

GAF Permit Log

an increase of 696 respondents, 696 instead of 0
an increase of 23,664 responses, 23,664 instead of 0
an increase of 789 hr burden, 789 hr instead of 0
an increase of \$19,725 personnel costs, \$19,725 instead of 0
an increase of \$1,183 miscellaneous costs, \$1,183 instead of 0.

Overall changes: A net decrease of 3,128 responses and 826 hours and a net increase of \$513.

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

The overall results of the information collection are made available to the public through the Council and IPHC meeting processes. This information is typically available on the Internet at <http://www.alaskafisheries.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 an ADF&G document, the OMB expiration date will not be displayed. If the electronic reporting system requires use of a computer, the OMB information will appear on the first screen.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.