

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**ALASKA PACIFIC HALIBUT FISHERIES: SUBSISTENCE**  
**OMB Control No. 0648-0512**

### **Abstract**

This request is for renewal and revision of an existing information collection. This information collection is necessary for the National Marine Fisheries Service (NMFS), Alaska Region, to manage the Alaska Subsistence Halibut Program. This 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. This program provides NMFS the opportunity to learn more about the subsistence fishery and enhance estimates of subsistence removals for stock assessment purposes.

Before fishing under subsistence halibut regulations, fishermen must obtain a Subsistence Halibut Registration Certificate (SHARC). This information collection contains the applications for SHARCs; the application for a Community Harvest Permit, a Ceremonial Permit, or an Educational Permit; the harvest logs for community, ceremonial, and educational permits; an appeals process for denied permits; and gear marking requirements for subsistence fishery setline gear. Each of these instruments is designed to minimize the reporting burden on subsistence halibut fishermen while collecting essential information. The SHARCs and permits are designed to work in conjunction with other halibut harvest assessment measures.

This information collection is revised to separate the data for the three applications for SHARCs. Previous supporting statements combined the total burden and cost estimates for these forms. These forms are submitted by different respondent groups and submitted on a different schedule; therefore, the estimates for each form are now presented individually.

Minor, non-regulatory changes have been made to the SHARC applications to increase clarity. A missing field has been added to the Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribe.

### **Justification**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The International Pacific Halibut Commission (IPHC) and NMFS Alaska Region manage fishing for Pacific halibut (*Hippoglossus stenolepis*) through regulations established under authority of the [Northern Pacific Halibut Act of 1982](#) (Halibut Act). The IPHC adopts regulations governing the Pacific halibut fishery under the Convention between the United States 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).

The Halibut Act, at section 773c(c), provides the North Pacific Fishery Management Council (Council) with authority to develop regulations, including limited access regulations, that are in addition to, and not in conflict with, approved IPHC regulations. Regulations developed by the Council may be implemented by NMFS only after approval by the Secretary of Commerce. The Council has exercised this authority in the development of subsistence halibut fishery management measures. NMFS has responsibility for managing the subsistence fishery for halibut according to regulations approved by the Secretary. Regulations governing the subsistence halibut fishery are at 50 CFR 300.2, 300.4, and subpart E, and in the annual management measures published in the *Federal Register* pursuant to 50 CFR 300.62.

Subsistence halibut means halibut caught by a rural resident or a member of an Alaska Native tribe for direct personal or family consumption as food, sharing for personal or family consumption as food, or customary trade. Subsistence fishing and hunting in Alaska has historically been part of the customary and traditional practices of Alaska Natives and non-Natives, especially in rural areas with limited alternative food resources.

The subsistence halibut 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. NMFS designed the special permits as vessel-oriented permits that allow eligible persons to harvest subsistence halibut under reduced gear and harvest restrictions. In Alaska's coastal areas, subsistence halibut fisheries are local, non-commercial, customary, and traditional food fisheries.

The following persons are eligible to fish for subsistence halibut:

- Members of federally recognized Alaska Native tribes with customary and traditional uses of halibut.
- Residents of rural communities with customary and traditional uses of halibut. A community in this program is defined as a place that is recognized by the U.S. Census; thus, only municipalities and census-designated places are included.
- Rural Residents.
  - Individuals domiciled in remote homesteads outside the boundaries of eligible communities within the subsistence use areas of Alaska. Those individuals or families practice the same patterns of use as residents of nearby communities that have customary and traditional uses, and, therefore, are eligible to participate.
  - Individuals who reside within a designated 10-statute-mile band of land, adjacent to the waters of the Bering Sea and Pacific Ocean, and other designated places.

The objectives of the subsistence halibut program are to facilitate enforcement through compatible State of Alaska 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.

The subsistence halibut program provides the opportunity to enhance accurate estimates of subsistence removals for stock assessment purposes. An important goal of the subsistence halibut program is to learn more about the fishery. Despite the lack of complete data, all subsistence harvests are estimated to account for less than one percent of total halibut removals.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

### Information Requirements and Needs and Uses of Information Collected

Item #	Requirement	Statute	Regulation	Needs and Uses
1	Application for Subsistence Halibut Registration Certificate (SHARC) Rural Resident	16 U.S.C 773c	50 CFR 300.65(g)(1) and (g)(3)	Used by rural residents to register for a SHARC.  Used by NMFS to determine eligibility, to issue SHARCs to rural residents, and to track number of SHARCs issued.
2	Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribal Member	16 U.S.C 773c	50 CFR 300.65	Used by individual Alaska Native Tribal Members to register for a SHARC.  Used by NMFS to determine eligibility, issue SHARCs to individual tribal members, and track number of SHARCs issued.
3	Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribe	16 U.S.C 773c	50 CFR 300.65(g)(2)	Used by a representative of an Alaska Native Tribe to register for a SHARC on behalf of multiple tribal members.  Used by NMFS to determine eligibility, issue SHARCs to the tribal members, and track number of SHARCs issued.
4	Subsistence Halibut Special Permits Application	16 U.S.C 773c	50 CFR 300.65(g)(1) and (g)(2)	Used by the public to apply for a community, ceremonial, or educational permit.  Used by NMFS to determine eligibility and issue community, ceremonial, and educational permits.
5	Subsistence Halibut Ceremonial or Educational Permit Harvest (CPEP) Log	16 U.S.C 773c	50 CFR 300.65(g)	Used by eligible Alaska Native tribes to report halibut harvested under a ceremonial or educational permit.  Used by NMFS to monitor subsistence halibut harvest and determine compliance with program requirements.
6	Subsistence Halibut Community Harvest Permit (CHP) Log	16 U.S.C 773c	50 CFR 300.65	Used by the CHP Coordinator to record harvest information.  Used by NMFS to monitor subsistence halibut harvest and determine compliance with program requirements.

Item #	Requirement	Statute	Regulation	Needs and Uses
7	Subsistence Appeals	16 U.S.C 773c	50 CFR 300.65(l)	Used by an applicant who receives an Initial Administrative Determination to appeal an application denied by NMFS.  Used by NMFS to assess information provided by the appellee in relation to a previous program application denial.
8	Subsistence Gear Marking	16 U.S.C 773c	50 CFR 300.65(h)	Used by the permit holder to identify their fishing gear.  Used by NMFS to link fishing gear to the vessel owner or operator and facilitate fisheries enforcement.

### Respondents, Form, Submission Method, Frequency of Collection, and Whether Information will be Shared

Item #	Requirement	From whom will the information be collected?	Form? <sup>/1</sup>	Submission Method <sup>/2</sup>	How frequently will the information be collected?	Will the information be shared with any other organizations inside or outside the Department of Commerce or the government? <sup>/3</sup>
1	Application for Subsistence Halibut Registration Certificate (SHARC) Rural Resident	Rural residents	Yes	Mail, delivery, fax. Online for renewals only.	As needed: renewals are biennial, but new applicants can register at any time	NPFMC, NMFS, and the public
2	Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribal Member	Alaska Native Tribal Member	Yes	Mail, delivery, fax. Online for renewals only.	As needed: renewals are quadrennial, but new applicants can register at any time.	NMFS, Council, and the public
3	Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribe	Designated Tribal Official	Yes	Mail, delivery, fax.	As needed: renewals are quadrennial, but new applicants can register at any time	NMFS, Council, and the public
4	Subsistence Halibut Special Permits Application	Community Harvest Coordinator, or Tribal Ceremonial or Educational Coordinator	Yes	Mail or delivery.	Community Harvest permits are annual, Ceremonial and Educational permits are monthly	NMFS, Council, and the public
5	Subsistence Halibut	Tribal	Yes	Mail, delivery, fax	Within 15 days of	NMFS, Council, and

Item #	Requirement	From whom will the information be collected?	Form? <sup>/1</sup>	Submission Method <sup>/2</sup>	How frequently will the information be collected?	Will the information be shared with any other organizations inside or outside the Department of Commerce or the government? <sup>/3</sup>
	Ceremonial or Educational Permit Harvest (CPEP) Log	Ceremonial or Educational Coordinator			permit expiration	the public
6	Subsistence Halibut Community Harvest Permit (CHP) Log	Community Harvest Coordinator	Yes	Mail, delivery, fax.	Annually on or before the date of permit expiration	NMFS, Council, and the public
7	Subsistence Appeals	Applicants	No	Mail, delivery, or fax <sup>/4</sup>	As needed by the respondent	NMFS National Appeals Office
8	Subsistence Gear Marking	Permit holder	No	Not submitted. Buoys are painted with identification information.	Not submitted.	NMFS

<sup>/1</sup> Forms are available as fillable pdfs on the [NMFS Alaska Region website](#).

<sup>/2</sup> **Mail:** NMFS Alaska Region, Restricted Access Management, P.O. Box 21668, Juneau, AK 99802-1668; **Delivery:** 709 West 9<sup>th</sup> Street, Room 713, Juneau, AK, 99801; **Fax:** (907) 586-7354; **Online:** [eFISH](#) is the NMFS Alaska Region's online Fisheries Information System.

<sup>/3</sup> Some information from this collection is posted online. See Question 15 for more information.

<sup>/4</sup> **Mail or delivery:** National Appeals Office, 1315 East-West Highway, Silver Spring, MD 20910; **Fax:** (307) 713-2384.

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](#) (the Information Quality Act), which requires NMFS to ensure the quality, objectivity, utility, and integrity of information it publicly disseminates. Public dissemination of data collected by this information collection is governed by [NOAA's information quality guidelines](#), which were issued on October 30, 2014.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. Question 15 describes the information from this collection that is posted on the [NMFS Alaska Region website](#).

Personally identifiable information and confidential business information submitted in an administrative appeal are not released to the public. Final administrative appeal decisions with redactions are posted on the [NMFS National Appeals Office website](#). NMFS and the National Appeals Office 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.

The identification information on the fishing gear is not disseminated to the public because the information is marked on the buoys and is not submitted to NMFS.

See Question 10 of this Supporting Statement for more information on confidentiality and privacy.



The following sections provide additional information on the instruments in this information collection.

### ***Subsistence Halibut Registration Certificates***

Before subsistence fishing for halibut, a participant must register for and must hold a valid Subsistence Halibut Registration Certificate (SHARC) issued by NMFS. To obtain a SHARC, eligible persons must register by application to NMFS. On registration approval, NMFS issues the registrant a SHARC.

Three types of SHARC applications are available:

- *Application for Subsistence Halibut Registration Certificate (SHARC) Rural Resident*—Used by an individual rural resident.
- *Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribal Member*—Used by an individual Alaska Native tribal member.
- *Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribe*—Used by an Alaska Native tribe to register on behalf of individual tribal members. When an Alaska Native tribe submits an application for permits for more than one individual, the application may be submitted with a list of individuals or applicants instead of completing an application for each person. When a tribe applies for members, the SHARCs will be sent directly to the tribe's address indicated on the application.

A SHARC is valid only for the period of time specified on the certificate. A person eligible to harvest subsistence halibut may renew their SHARC that is expired or will expire within three months.

A SHARC expires in 2 years if a rural resident registration or in 4 years if an Alaska Native tribal registration. The difference in duration is based on the assumption that rural, non-Native residents change address more frequently than tribal members. Therefore, it is easier for NMFS to maintain current addresses of rural residents by requiring renewal at a 2-year interval.

The SHARC applications collect permit holder information or applicant information, and if it is a renewal, permit information. The Application for SHARC Rural Resident also collects the name and contact information of an adult who can verify the residential information listed on the application. The Application for SHARC Alaska Native Tribe also collects the name and contact information for the tribe registering on behalf of the members.

The following changes have been made to the applications:

- *Application for Subsistence Halibut Registration Certificate (SHARC) Rural Resident*—A link to eFISH and information on renewing the SHARC online were added to the header and to the application's instructions. Block A, field 6, has been changed from "Rural Community or Rural Area of Residence" to "Town/village of home residence." Also, all references to "domicile" throughout the form have been replaced with "home residence." These changes were made to more clearly indicate the response needed and promote awareness of NMFS' online method for submitting SHARC renewals. These changes are a result of unsolicited comments received by NMFS Restricted Access Management (RAM) from subsistence fishery participants (see question #8).

- *Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribal Member*—A link to eFISH and information on renewing the SHARC online were added to Block A, and to the application’s instruction. This change was made to promote awareness of NMFS’ online method for submitting SHARC renewals. Block B, fields 3 and 4 were reworded to more clearly indicate the response needed. These changes are a result of unsolicited comments received by NMFS RAM from subsistence fishery participants (see question #8).
- *Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribe* —A field for email was added to each Block B, which collects information on the tribal member on whose behalf the tribe is registering for the SHARC. The email address for the SHARC holder is collected on the other two SHARC applications. Email has become synonymous with having accounts in an electronic system. To renew a SHARC online, a SHARC holder must have a valid email address on file with NMFS RAM. Including the applicant’s email address on the application for a SHARC will prevent delay at the time of renewal if the SHARC holder wishes to renew online.

### ***Application for Subsistence Halibut Special Permits***

One application is used to apply for all three special permits: Community Harvest Permits, Ceremonial Permits, and Educational Permits.

Except for enrolled students fishing under a valid Educational Permit, before fishing under the special permits, fishermen must obtain a SHARC (see above), which identifies those persons who are currently eligible for subsistence halibut fishing.

This application collects information on the type of special permit requested and the permit holder or applicant information and, depending on the permit type, may include additional information. An applicant for a Ceremonial Permit includes a description of the cultural or ceremonial significance of the occasion that the permit will be used for. An applicant for an Educational Permit includes information on the course and educational program that the permit will be used for.

If approved, along with the special permit, NMFS sends the applicant a harvest log that must be maintained during the extent of the permit. Upon completion of the subsistence harvest, the coordinator or instructor must return the complete harvest log to NMFS. All previously issued harvest logs must be returned prior to receiving additional permits. A community or tribe that fails to return previously issued harvest logs will not receive any additional permits until all previously issued harvest logs are returned to NMFS.

#### **Community Harvest Permit (CHP)**

An Area 2C or Area 3A community or Alaska Native tribe may apply for a CHP.

NMFS will issue a CHP to an eligible Area 2C or 3A community that is listed at [50 CFR 300.65\(g\)\(1\)](#) and if no Alaska Native tribe exists in that community.

NMFS will issue a CHP, Ceremonial Permit, or Education Permit to an eligible Area 2C or 3A Alaska Native tribe that is listed at [50 CFR 300.65\(g\)\(2\)](#).

The Alaska Native 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 fishermen. The CHP allows a community or 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. Each fisherman must have a CHP card as well as their SHARC on board the harvesting vessel when fishing under the CHP. The CHP must remain in the possession of the CHP coordinator or other tribal authority when not in use.

A CHP consists of a harvest log and up to five laminated permit cards. A CHP expires one year from the date of issuance. The CHP harvest log must be returned on or before the permit's expiration date.

#### Ceremonial Permit and Educational Permit

Ceremonial and educational permits are available exclusively to eligible Alaska Native tribes.

Eligible tribes must designate a Ceremonial Permit Coordinator for Ceremonial Permits and an Educational Permit Instructor for Educational Permits. The Ceremonial Permit must remain in the possession of the Ceremonial Permit Coordinator or other tribal authority when not in use.

Ceremonial and educational permits consist of a single laminated permit card and one harvest log for each type issued by NMFS. Each permit expires 30 days from its date of issuance. The harvest 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.

#### ***Community Harvest Permit (CHP) Harvest Log***

The CHP Coordinator must maintain possession of the CHP Harvest Log at all times. The CHP Coordinator issues a CHP card to an eligible subsistence fisherman. Upon completion of subsistence fishing under the permit, the subsistence fisherman returns the CHP card and reports their catch to the CHP Coordinator. The CHP Coordinator records this harvest information in a CHP Harvest Log. The CHP Coordinator must return the CHP card and CHP Harvest Log together upon expiration to NMFS.

The harvest log collects the name of the CHP Coordinator, and identification information and harvest information for the subsistence fishermen fishing under that permit.

#### ***Subsistence Halibut Ceremonial or Educational Permit Harvest Log***

The Ceremonial Permit Coordinator maintains possession of the Ceremonial or Educational Permit Harvest Log at all times and issues the Ceremonial Permit card to an eligible subsistence fisherman. Upon completion of subsistence fishing, the subsistence fisherman returns the Ceremonial Permit card and reports their catch to the Ceremonial Permit Coordinator. The coordinator records this harvest information in the harvest log and returns the Ceremonial Permit card and harvest log to NMFS.

The Educational Permit Instructor maintains possession of the Ceremonial or Educational Permit

Harvest Log at all times and issues the Educational Permit card to eligible students. The eligible student returns the Educational Permit card and reports their catch to the Educational Permit Instructor upon completion of subsistence fishing. The instructor records this harvest information in the harvest log and returns the Educational Permit card and harvest log to NMFS.

The harvest log collects the name of the Ceremonial Permit Coordinator or Education Permit Instructor, and identification information and harvest information for the subsistence fishermen fishing under that permit.

### ***Subsistence Appeals***

NMFS provides an appeals process to provide administrative due process to those whose applications for a CHP, 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 National Appeals Office (NAO) under 15 CFR part 906. 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 Gear Marking***

Gear types authorized for use in the subsistence halibut fishery are setline and hand-held gear, including longline, handline, rod-and-reel, spear, jig, and hand-troll gear. Setline gear means one or more stationary, buoyed, or anchored lines with hooks attached. Only setline gear must be marked with identification information as follows: first initial and last name followed by an "S" (to indicate subsistence halibut), and address (street, city, and state). Markings must be in characters at least 4 inches (10.16 cm) in height and 0.5 inch (1.27 cm) in width in a contrasting color visible above the water line and must be maintained so the markings are clearly visible.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

All of the applications and harvest logs are posted on the [NMFS Alaska Region website](#) as fillable pdfs for respondents to download, print, and mail or deliver to NMFS. Harvest logs and SHARC applications may also be faxed to NMFS.

[eFISH](#) is the NMFS Alaska Region online Fisheries Information System. eFISH provides an online

method to submit applications and access to participants' NMFS permit accounts. eFISH allows participants to renew certain fishery permits; report landings; print certificates or permits; conduct quota transfers; pay fees and submit landing value reports; and check account balances, vessel balances, and landing ledger reports. Permit holders access eFISH through a User ID and password issued by NMFS. Instructions for using eFISH are posted on the NMFS Alaska Region website at <https://alaskafisheries.noaa.gov/node/30749>.

SHARC holders may use eFISH to renew their SHARCs or print their SHARCs.

Marking fishing gear does not involve automated, electronic, mechanical, or other technological techniques or forms of information technology.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2.**

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. Federal regulations specify use of this information collection to administer the subsistence halibut fishery, and there are not alternate means or methods to perform the functions laid out in this supporting statement.

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

Individual people conducting subsistence fishing are “natural persons” and are not considered small entities under the Regulatory Flexibility Act (RFA). The RFA defines small entities as small businesses, small organizations, and small governmental jurisdictions.

Entities submitting ceremonial, educational, or community harvest permits are small entities. Small entities eligible for these permits are tribal governments and rural communities.

NMFS attempts to minimize the burden of this collection on all respondents. The SHARCs and permits are designed to work in conjunction with other halibut harvest assessment measures. The applications require submission of the minimum amount of information needed to identify the applicant, determine eligibility, and provide the SHARC or permit. In addition to submitting applications and logs by mail, NMFS provides the option to renew a SHARC online, as well as the option to submit the SHARC application by fax for those persons without access to a computer or the internet. Harvest logs may also be submitted by fax.

Fishing gear is marked with the minimum information needed to identify the permit holder and the fishery. Most fishermen properly identify marker buoys and are not adversely affected by this requirement.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

This information collection is required to manage subsistence halibut fishing under the Halibut Act and under 50 CFR part 300. It would not be possible to effectively manage the subsistence halibut program or carry out the mandates of the Halibut Act if this collection were not conducted or conducted less frequently.

Without the specified permitting and reporting scheme described in this Supporting Statement, much needed information on the subsistence halibut fishery would be lost, and the subsistence halibut program would be unable to proceed. This information collection provides data on subsistence halibut harvests and allows NMFS to ensure that participants in the halibut subsistence fishery adhere to program regulations in order to achieve a sustainable fishery and balance the needs of all who depend on halibut for food, sport, or livelihood. If these collections were conducted less frequently or not at all, people for whom halibut has been part of their traditional practices and people living in rural areas with limited alternate food sources could experience economic or social harm due to being delayed or prevented from harvesting halibut for personal or family consumption as food, sharing for personal or family consumption as food, or customary trade.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with OMB guidelines.**

One collection in this package may require respondents to report information to the agency more often than quarterly. Ceremonial and Educational Permits are valid for 30 days, and the Subsistence Halibut Ceremonial or Educational Permit Harvest Log must be submitted within 15 days after the permit's expiration date regardless of harvest. It is possible that a tribe might apply for consecutive permits and therefore need to report harvest log information more often than quarterly.

The collection will otherwise be conducted in a manner consistent with OMB guidelines.

**8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

A *Federal Register* Notice published on March 6, 2020 (85 FR 13139), solicited public comments. No comments were received.

NMFS Alaska Region did not solicit comments from stakeholders in addition to the *Federal Register* Notice. However, NMFS Restricted Access Management (RAM) staff interacts often with participants in the subsistence fishery, answering questions and providing information on the applications and permits. Through their interactions, NMFS RAM staff may receive unsolicited comments from participants on the cost and hour burden and the availability of data; frequency of collection; the clarity of instructions and recordkeeping, disclosure, or reporting format; and on the data elements to be recorded, disclosed, or reported.

As a result of these comments, NMFS made minor changes to the Application for Subsistence Halibut Registration Certificate (SHARC) Rural Resident and the Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribal Member. Both of these applications had wording that was confusing to many respondents and sometimes resulted in mistakes on the applications. These data elements were reworded to clarify the response needed. The changes are described above in question #2.

Additionally, many SHARC holders were not aware that they could renew their permit online instead of

using the paper application. To promote awareness of renewing SHARCs online through eFISH, a link to eFISH and information on renewing a SHARC online were added to applications and to the instructions for the applications.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

No payment or gift to respondents is provided under this program.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.**

All information collections by NMFS Alaska Region are protected under confidentiality provisions of section 402(b) of the Magnuson-Stevens Act as amended in 2006 (16 U.S.C. 1801, *et seq.*) and under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

Most responses to this information collection request are not confidential; however, birth dates are required on the community harvest permit log, the ceremonial or educational permit harvest log, and the SHARC applications. Birthdates are confidential under the Privacy Act (5 U.S.C. 552a).

The System of Records Notice (SORN) that covers this information collection is [COMMERCE/NOAA-19, Permits and Registrations for United States Federally Regulated Fisheries](#). An amended Privacy Act SORN for COMMERCE/NOAA-19 was published in the *Federal Register* on August 7, 2015 (80 FR 47457), and became effective September 15, 2015 (80 FR 55327).

The Privacy Impact Assessment that covers this information collection is [NOAA NMFS Alaska Region Local Area Network \(NOAA4700\)](#).

The marking of fishing gear is not confidential. There is no assurance of confidentiality provided, as marking of gear occurs on an individual basis.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

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

**12. Provide estimates of the hour burden of the collection of information.**

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents/year (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hrs (e) = (c) x (d)	Hourly Wage Rate <sup>/1</sup> (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Application for Subsistence Halibut Registration Certificate (SHARC) Rural Resident	Fisherman	2,330 <sup>/2</sup>	1	1,280 paper 1,050 online	10 min. paper 10 min. online	210 paper 175 online	\$23.46	9,032
Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribal Member	Fisherman	543 <sup>/3</sup>	1	300 paper 243 online	10 min. paper 10 min. online	50 paper 41 online	\$23.46	2,135
Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribe	Tribal Official	2	1	2	30 min.	1	\$43.37 <sup>/4</sup>	43
Subsistence Halibut Special Permits Application	Community Harvest Coordinator, Ceremonial Permit Coordinator, or Educational Permit Instructor	2 <sup>/5</sup>	1	2	30 min.	1	\$43.37 <sup>/4</sup>	43
Subsistence Halibut Ceremonial or Educational Permit Harvest (CPEP) Log	Ceremonial Permit Coordinator or Educational Permit Instructor	1	1	1	30 min. per fisherman x 4 fishermen <sup>/6</sup>	2	\$43.37 <sup>/4</sup>	87
Subsistence Halibut Community Harvest Permit (CHP) Log	Community Harvest Coordinator	1	1	1	30 min. per fisherman x 4 fishermen <sup>/6</sup>	2	\$43.37 <sup>/4</sup>	87
Subsistence Appeals	Fisherman	1 <sup>/7</sup>	1	1	4 hrs	4	\$23.46	94
Subsistence Gear Marking	Fisherman	3,415 <sup>/8</sup>	1	3,415	15 min. to mark each buoy	854	\$23.46	20,035
<b>Totals</b>				<b>6,295</b>		<b>1,340</b>		<b>31,556</b>

<sup>/1</sup> Unless otherwise noted, the mean hourly wage is for Occupation Code 45-0000 (Farming, Fishing, and Forestry Occupations), Sector 11 (Agriculture, Forestry, Fishing and Hunting). [May 2019 Occupational Employment Statistics Research Estimates, Alaska.](#)

<sup>/2</sup> The respondent and response estimates were determined as follows: The current number of rural SHARC holders is 4,659. Rural SHARCs are renewed biennially, so it is expected that half of the active SHARC holders will submit a renewal application each year.

<sup>/3</sup> The respondent and response estimates were determined as follows: The current number of tribal SHARC holders is 2,171. Tribal SHARCs are renewed quadrennially, so it is expected that one quarter of the active SHARC holders will submit a renewal application each year.

<sup>/4</sup> The mean hourly wage is for Occupation Code 11-9151 (Social and Community Service Managers), Sector 99 (Federal, State, and Local Government, excluding state and local schools and hospitals and the U.S. Postal Service [OES Designation]). [May 2019 Occupational Employment Statistics Research Estimates, Alaska](#).

<sup>/5</sup> Although the potential participation is 39 tribes—each of which could apply for each of the special permits—and 15 communities that could apply for community harvest permits, the number of applications issued annually is much less. Since 2017, one Ceremonial permit was issued in 2017 and no Educational Permits have been issued. Four Community Permits were issued in both 2017 and 2018, one in 2019, and one as of June 2020. Based on this, an estimate of 2 respondents is used.

<sup>/6</sup> When maintaining a harvest log, the coordinator or instructor is estimated to take 30 minutes to instruct each fisherman on responsibilities prior to fishing and record the fisherman's catch information when returning. It is estimated that up to four fishermen would fish against the permit.

<sup>/7</sup> To date, no appeals have been filed. For purposes of this analysis, 1 response is used.

<sup>/8</sup> This analysis estimates that each year, half of the SHARC holders (6,830 / 2 = 3,415) will need to repaint one buoy as the markings on the other buoys will still be legible and the information still correct.

### 13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

Information Collection	# of Respondents/year (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Cost Burden / Respondent (h) <sup>/1</sup>	Total Annual Cost Burden (i) = (c) x (h)
Application for Subsistence Halibut Registration Certificate (SHARC) Rural Resident	2,330 <sup>/2</sup>	1	1,280 paper 1,050 online	Paper: Operating costs - \$5 Online: \$0	6,400
Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribal Member	543 <sup>/3</sup>	1	300 paper 243 online	Paper: Operating costs - \$5 Online: \$0	1,500
Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribe	2	1	2	Operating costs - \$5	10
Subsistence Halibut Special Permits Application	2 <sup>/4</sup>	1	2	Operating costs - \$5	10
Subsistence Halibut Ceremonial or Educational Permit Harvest (CPEP) Log	1	1	1	Operating costs - \$5	5
Subsistence Halibut Community Harvest Permit (CHP) Log	1	1	1	Operating costs - \$5	5
Subsistence Appeals	1 <sup>/5</sup>	1	1	Operating costs - \$5	505

				Attorney - \$500 <sup>7</sup>	
Subsistence Gear Marking	3,415 <sup>8</sup>	1	3,415	Marking supplies: \$15 <sup>8</sup>	51,225
<b>TOTALS</b>	<b>6,293<sup>9</sup></b>		<b>6,295</b>		<b>59,660</b>

<sup>1</sup> Operating costs account for the typical inclusive general office services packages that include expenses for email, fax, copying, mailing, and printing.

<sup>2</sup> The respondent and response estimates were determined as follows: The current number of rural SHARC holders is 4,659. Rural SHARCs are renewed biennially, so it is expected that half of the active SHARC holders will submit a renewal application each year.

<sup>3</sup> The respondent and response estimates were determined as follows: The current number of tribal SHARC holders is 2,171. Tribal SHARCs are renewed quadrennially, so it is expected that one quarter of the active SHARC holders will submit a renewal application each year.

<sup>4</sup> Although the potential participation is 39 tribes—each of which could apply for each of the special permits—and 15 communities that could apply for community harvest permits, the number of applications issued annually is much less. Since 2017, one Ceremonial permit was issued in 2017 and no Educational Permits have been issued. Four Community Permits were issued in both 2017 and 2018, one in 2019, and one as of June 2020. Based on this, an estimate of 2 respondents is used.

<sup>5</sup> To date, no appeals have been filed. For purposes of this analysis, 1 response is used.

<sup>6</sup> This analysis estimates that each year, half of the active SHARC holders ( $6,830/2 = 3,415$ ) will need to repaint one buoy as the markings on the other buoys will still be legible and the information still correct.

<sup>7</sup> 4 hours of attorney time at \$125 per hour

<sup>8</sup> Supplies needed to mark the buoys consist of paint and a paintbrush, or a permanent ink applicator, and possibly tape or a stencil, costing at most \$15.

<sup>9</sup> The total respondents equal 2,330 rural SHARC holders, 543 tribal SHARC holders, 2 tribal officials, 2 special permit coordinators, 1 appellant, and 3,415 gear marking respondents.

**14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.**

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
<b>Federal Oversight</b>					
Permit Assistants	GS 8 step 10	\$109,024	12%		12,642
Appeals Attorney	GS 14 step 10	\$239,718	0.2%		459
<b>Contractor Cost</b>					0
<b>Travel</b>					0

Other Costs:					0
<b>TOTAL</b>					<b>\$13,101</b>

GS 8 step 10 2020 salary (capped out ZS-4 in Juneau, AK) = \$71,726. For loaded salary, add 52% of salary ( $\$71,726 * 1.52 = \$109,024$ ). The hourly loaded wage rate for permit assistants is \$52.24 ( $\$109,024 / 2,087$  hours in a Federal work year).

To calculate percent of effort:  $242 \text{ hrs} / 2,087 \text{ hrs} = 0.12$  or about 12% of effort.

Total cost to government =  $\$52.24 \times 242 \text{ hrs} = \$12,642$ .

GS 14 step 10 2020 salary for Silver Spring = \$157,709. For loaded salary, add 52% for benefits and other overhead costs. ( $\$157,709 * 1.52 = \$239,718$ ). The hourly loaded wage rate for attorneys handling appeals is \$114.86 ( $\$239,718 / 2,087$  hrs in a Federal work year).

To calculate percent of effort:  $4 \text{ hrs} / 2,087 \text{ hrs} = 0.0019$  or 0.2% of effort.

Total cost to government =  $\$114.86 \times 4 \text{ hrs} = \$459$ .

## 15. Explain the reasons for any program changes or adjustments reported in ROCIS.

The respondents and responses have been adjusted to reflect the most current data. Additional reasons for adjustments are noted in the tables.

In the 2017 renewal, the data for the Application for SHARC Rural Resident, the Application for SHARC Alaska Native Tribal Member, and the Application for SHARC Alaska Native Tribe were combined. In this renewal, the data for these applications are reported separately.

Information Collection	Respondents		Responses		Burden Hours		Reason for change or adjustment
	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	
Application for Subsistence Halibut Registration Certificate (SHARC) Rural Resident	2,330	4,792	2,330	2,396	385	399	The previous respondent data incorrectly reported the total number of rural SHARC holders instead of the annual number of respondents.

Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribal Member	543	2,537	543	634	91	106	The previous respondent data incorrectly reported the total number of tribal SHARC holders instead of the annual number of respondents. The previous data includes data for the Application For SHARC Alaska Native Tribe.
Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribe	2	No data	2	No data	1	No data	There is no previous data because in the 2017 renewal, the data for this form was included with the data for the Application for SHARC Alaska Native Tribal Member and could not be separated from it.
Subsistence Halibut Special Permits Application	2	8	2	8	1	1	—
Subsistence Halibut Ceremonial or Educational Permit Harvest (CPEP) Log	1	6	1	6	2	9	—
Subsistence Halibut Community Harvest Permit (CHP) Log	1	2	1	2	2	3	—
Subsistence Appeals	1	1	1	1	4	4	—
Subsistence Gear Marking	3,415	7,329	3,415	3,665	854	916	—
<b>Total for Collection</b>	<b>6,293</b>	<b>7,337</b>	<b>6,295</b>	<b>6,712</b>	<b>1,340</b>	<b>1,438</b>	
<b>Difference</b>	<b>- 1,044</b>		<b>- 417</b>		<b>- 98</b>		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Application for Subsistence Halibut Registration Certificate (SHARC) Rural Resident	9,032	14,763	6,400	4,319	Labor costs: Now based on BLS hourly wage rate. Misc. costs: Revised amount to account for typical inclusive general office services packages.
Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribal Member	2,135	3,922	1,500	2,130	The previous data includes data for the Application For SHARC Alaska Native Tribe. Labor costs: Now based on BLS hourly wage rate Misc. costs: Revised amount to account for typical inclusive general office services packages.
Application for Subsistence Halibut Registration Certificate (SHARC) Alaska Native Tribe	43	No data	10	No data	There is no previous data because in the 2017 renewal, the data for this form was included with the data for the Application for SHARC Alaska Native Tribal Member and could not be separated from it.
Subsistence Halibut Special Permits Application	43	296	10	5	Labor costs: Now based on BLS hourly wage rate.

						Misc. costs: Revised amount to account for typical inclusive general office services packages.
Subsistence Halibut Ceremonial or Educational Permit Harvest (CPEP) Log	87	333	5	7		Labor costs: Now based on BLS hourly wage rate. Misc. costs: Revised amount to account for typical inclusive general office services packages.
Subsistence Halibut Community Harvest Permit (CHP) Log	87	111	5	1		Labor costs: Now based on BLS hourly wage rate. Misc. costs: Revised amount to account for typical inclusive general office services packages.
Subsistence Appeals	94	148	505	501		Labor costs: Now based on BLS hourly wage rate. Misc. costs: Revised amount to account for typical inclusive general office services packages.
Subsistence Gear Marking	20,035	11,450	51,225	18,325		Labor costs: Now based on BLS hourly wage rate. Misc. costs: Updated the cost of marking supplies.
<b>Total for Collection</b>	<b>31,556</b>	<b>31,023</b>	<b>59,660</b>	<b>25,288</b>		
<b>Difference</b>	<b>533</b>		<b>34,372</b>			

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

Information obtained through registration to issue SHARCs, community harvest permits, ceremonial permits, and educational permits is posted on the [NMFS Alaska Region website](#). The information is posted by permit type and summarized by year.

Final administrative appeal decisions with redactions are posted on the [NMFS National Appeals Office website](#). Personally identifiable information and confidential business information submitted in an administrative appeal are not released to the public.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

The agency plans to display the expiration date for OMB approval of the information collection on all instruments.

**18. Explain each exception to the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”**

The agency certifies compliance with 5 CFR 1320.9 and the related provisions of 5 CFR 1320.8(b)(3).