

**SUPPORTING STATEMENT**  
**ALASKA PACIFIC HALIBUT FISHERIES: CHARTER PERMITS**  
**OMB CONTROL NO. 0648-0592**

This request is for revision and extension of an existing information collection. Two information collections have been removed, as no longer applicable.

## **INTRODUCTION**

The International Pacific Halibut Commission (IPHC) and National Marine Fisheries Service, Alaska Region (NMFS) manage fishing for Pacific halibut (*Hippoglossus stenolepis*) through regulations established under authority of the Northern Pacific Halibut Act of 1982 ([Halibut Act](#)). Sport fishing regulations for Pacific halibut in Alaska are developed by IPHC, NMFS, and the State of Alaska Department of Fish and Game (ADF&G). The IPHC promulgates 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, 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 developed by the IPHC are subject to approval by the Secretary of State with concurrence from the Secretary of Commerce. The guided sport charter fishery is codified at 50 CFR 300.67.

A limited access system for Federal Charter Halibut Permits was implemented for operators in the charter halibut fishery in IPHC Regulatory Areas 2C (Southeast Alaska) and 3A (South Central Alaska). The Program also provides a limited number of permits issuable on request to by the U.S. Military's Morale, Welfare and Recreation (MWR) programs for service members.

The application period to obtain a Charter Halibut Permit (CHP) was February 4 through April 5, 2010. A CHP may now be obtained only through transfer.

## **BACKGROUND**

The IPHC annually determines the amount of halibut that may be removed from the resource without causing biological conservation problems on an area-by-area basis in all areas of Convention waters. The IPHC estimates the exploitable biomass of halibut using a combination of harvest data from the commercial fisheries, charter (sport) fisheries, subsistence fisheries, information collected during scientific surveys, and sampling of bycatch in other fisheries. The calculations for halibut fishing mortality are used to determine the annual limit for the halibut commercial fishery.

Starting January 13, 2014, a Halibut Catch Sharing Plan went into effect that authorizes annual transfers of Area 2C or Area 3A commercial halibut individual fishing quota (IFQ) as guided angler fish (GAF) to charter halibut permit holders for harvest in the charter halibut fishery. This transfer allows charter clients to harvest halibut in addition to, or instead of, the halibut harvested

under the daily bag limit for charter anglers. GAF harvested in the charter halibut fishery will be accounted for as commercial halibut IFQ harvest.

## **A. JUSTIFICATION**

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

The halibut catch sharing plan allows allocation of the halibut resource between the commercial halibut setline and guided sport sectors in IPHC Area 2C and Area 3A. The guided angler fish (GAF) regulations enable CHP holders to receive by transfer commercial IFQ as GAF in order to provide charter vessel anglers with an opportunity to harvest a number or size of halibut over and above the CSP restriction in place for an area.

### **2. 1Explain how, by whom, how frequently, and for what purpose the information will be used. 1If 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. Application for Charter Halibut Permit (CHP) [REMOVED; Inactive]**

This application is no longer used. The application period to obtain a Charter Halibut Permit was February 4 through April 5, 2010. A Charter Halibut Permit may now be obtained only through transfer.

#### **b. Application for Transfer of Charter Halibut Permit (CHP)**

A charter halibut permit is either transferrable or not transferrable based on certain minimum participation criteria. After initial distribution of charter halibut permits, a person holding a transferable permit may transfer the permit to another individual or corporate entity with certain limitations. NMFS will approve a transfer to an individual only if the individual is a U.S. citizen, and approve a transfer to a corporate entity only if it is a U.S. business with at least 75 percent U.S. citizen ownership of the business. Hence, as non-U.S. citizens leave the fishery, their charter halibut permits either will cease to exist (if the permits were nontransferable) or they will be owned by U.S. citizens or U.S. businesses.

The transferable and nontransferable permits have different values. The nontransferable permit ceases to exist when the holder leaves the charter halibut fishing business. The transferable permit has value as an asset that may be transferred to another business. This allows a business with relatively low halibut fishing trips to continue its existing business model until it leaves the charter halibut industry.

NMFS will not approve the transfer of a charter halibut permit to or from any person that owes NMFS any fines, civil penalties or other payments. In addition, a transfer of a permit will not be approved if it is inconsistent with any sanctions resulting from Federal fishing violations.



If Charter Halibut permit is being used as collateral for a loan,  
 enter name of party holding security interest or lien  
 If the transfer of this Charter Halibut permit includes the sale of the charter halibut business,  
 enter name of business  
 If transferee currently holds other Charter Halibut permits,  
 transfer of “grandfathered” Charter Halibut permits cannot be approved  
 If there is an agreement to return the permit to the transferor (seller) or to transfer it to any other person,  
 explain (use attachment if necessary)  
 If there is any condition requiring the resale or conveyance of the permit, explain (use attachment if necessary)

**Block I -- Certification of transferor**

Signature, date signed, and printed name of transferor. If signed by agent, attach authorization.  
 Notary Public Signature, Notary Stamp or Seal, and date commission expires

**Block J -- Certification of Transferee**

Signature, date signed, and printed name of transferee. If signed by agent, attach authorization.  
 Notary Public Signature, Notary Stamp or Seal, and date commission expires

Changed personnel costs from \$25/hr to \$37/hr. Changed cost of notary from \$25 to \$5.  
 Changed postage costs from 0.42 to 0.45. Changed photocopy cost from 0.10 to 0.05. changed  
 number of respondents from 85 to 18 to reflect actual counts.

<b>Application for Transfer of CHP, Respondents</b>	
<b>Total number of respondents</b>	<b>18</b>
<b>Total annual responses</b>	<b>18</b>
Frequency of response = 1	
<b>Total annual time burden</b>	<b>36 hr</b>
Estimated response time = 2 hr	
<b>Total personnel costs (\$37/hr x 36)</b>	<b>\$1,332</b>
<b>Total miscellaneous costs (99.90)</b>	<b>\$100</b>
Mail (0.45 x 18 = 8.10)	
Notary (5 x 18 = 90)	
Photocopy (2pp x 0.05 x 18 = 1.80)	

<b>Application for Transfer of CHP, Federal Government</b>	
<b>Total responses</b>	<b>18</b>
<b>Total annual time burden</b>	<b>9 hr</b>
Estimated response time = 30 minutes	
<b>Total personnel costs (\$37/hr x 9)</b>	<b>\$333</b>
<b>Total miscellaneous costs</b>	<b>0</b>

**c. Application for Morale, Welfare, and Recreation (MWR) CHP**

NMFS issues CHPs to charter vessels used by the U.S. Army Morale, Welfare, and Recreation (MWR) Program, based at Fort Richardson in Anchorage, Alaska, and those used by the Seward Air Force Recreation Camp operated by Elmendorf Air Force Base in Anchorage, Alaska. MWR charter vessels are not required to meet the qualification requirements of the Charter Program, but harvests still count against the guideline harvest level. To be exempt from the overall charter halibut program, however, such vessels are required to obtain a special MWR charter halibut permit. Each MWR charter halibut permit is non-transferable and valid only in the regulatory area designated on the permit.

Application forms are available from NMFS, Alaska Region, web site at [http://alaskafisheries.noaa.gov/ram/charter/apps\\_permits.htm](http://alaskafisheries.noaa.gov/ram/charter/apps_permits.htm).

Electronic submittal of the application other than fax is not accepted, because each application requires the original signature of the applicant.

When completed, the application may be submitted:

By mail to NMFS Alaska Region  
 Restricted Access Management (RAM)  
 P.O. Box 21668  
 Juneau, Alaska 99802-1668

Or deliver to 709 West 9th Street, Room 713  
 Juneau, AK 99801

**Application for MWR charter permit**

Block A—Military information

Enter the branch of the United States Armed Services represented

Block B –Applicant information

Applicant’s name

Business mailing address (street or P.O. Box, city, state, zip code)

Business telephone number, business fax number, and business e-mail address

Block C – MWR Permit(s) request

List the number of MWR permits requested for each area, 2C and 3A

Block D – MWR applicant signature

Signature, printed name, and rank in service of individual completing this application

Date signed

**Attach** authorizing documentation

Changed personnel costs from \$25/hr to \$37/hr. Changed postage rates from 0.42 to 0.45.

<b>Application for MWR charter Permit, Respondents</b>	
<b>Total number of respondents</b>	<b>26</b>
<b>Total annual responses</b>	<b>26</b>
Frequency of response = 1	
<b>Total annual time burden</b>	<b>26 hr</b>
Estimated response time = 1 hr	
<b>Total personnel costs</b> (\$37/hr x 26)	<b>\$962</b>
<b>Total miscellaneous costs</b> (47.60)	<b>\$48</b>
Mail (0.45 x 20 = 9)	
Fax (6 x 6 = 36)	
Photocopy (2pp x 0.05 x 26 = 2.60)	

<b>Application for MWR Charter Permit, Federal Government</b>	
<b>Total responses</b>	<b>26</b>
<b>Total annual time burden</b>	<b>13 hr</b>
Estimated response time = 30 minutes	
<b>Total personnel costs</b> (\$37/hr x 13)	<b>\$481</b>
<b>Total miscellaneous costs</b>	<b>0</b>

#### **d. Application for Transfer Between IFQ and GAF**

Charter halibut permit holders requesting GAF are required to specify the CHP to which the GAF permit will be linked. The link between a GAF permit and a charter halibut permit or military charter halibut permit may not be changed during that year. If charter vessel anglers retain GAF, the GAF permit and the linked charter halibut permit, or military charter halibut permit must be on board the vessel on which the GAF halibut are retained, and available for inspection by an authorized enforcement officer.

Upon receipt of an application for transfer between IFQ and GAF, NMFS uses a conversion factor to debit converted IFQ pounds from an IFQ account and transfer the corresponding number of GAF to a GAF account. The Regional Administrator will not approve an application before annual IFQ is issued for each year or after October 31 of each year.

The IFQ permit holder is responsible for all IFQ cost recovery fees (OMB 0648-0398) resulting from the transferred GAF. NMFS will return unused GAF to the IFQ permit holder from which they were obtained. No fees will be assessed for any unused GAF unless it is later harvested by the IFQ permit holder.

An Application for Transfer between IFQ and GAF is available on the NMFS Alaska Region website at <http://alaskafisheries.noaa.gov/ram/charter/transferifqgaf.pdf>.

Applications may be submitted to NMFS as follows:

By mail: NMFS Alaska Region  
Restricted Access Management (RAM)  
P.O. Box 21668  
Juneau, Alaska 99802-1668

By fax: 907-586-7354

By delivery: 709 West 9th Street, Suite 713  
Juneau, Alaska 99801

#### **GAF Permit**

On approval of an application for transfer between IFQ and GAF, NMFS will issue a GAF permit to the charter halibut permit holder receiving GAF. A GAF permit authorizes the GAF permit holder to allow charter vessel anglers to retain halibut in excess of the effective CSP restriction, up to limits on GAF use in regulations at §300.65(c).

NMFS issues GAF in numbers of fish, basing the conversion between annual IFQ and GAF on average weight of halibut landed in each region's charter halibut fishery (Area 2C or 3A) during the previous year, as determined by State of Alaska Department of Fish and Game (ADF&G). The number of GAF requested will be deducted from or added to the annual IFQ permit in round weight equivalent pounds.

GAF may be retained under a GAF permit only if the GAF permit holder's account contains at least the number of GAF retained at the time of retention. All GAF permits expire at 11:59 pm on the day prior to the automatic GAF return date. GAF may not be retained by charter vessel anglers after the expiration date of GAF permits.

NMFS will issue a revised GAF permit to the GAF permit holder each time during the year that it approved a transfer between IFQ and GAF for that GAF permit. Each GAF permit will be linked to only one charter halibut permit, or military charter halibut permit in Area 2C or Area 3A.

### **Application for Transfer between IFQ and GAF**

#### Attachments

Check each applicable box to ensure that application is complete

Completed Application

Copy of IFQ permit (s) enclosed

Copy of CHP (Transferee receiving GAF must have a valid Charter Halibut Permit)

Power of Attorney (if applicable)

#### Identification of transferor (lessor)

Name and NMFS Person ID of Transferor

Permanent Business Mailing Address and temporary Business Mailing Address

Business Telephone Number and Business Fax Number

Business E-mail Address

Indicate whether transferor paid all fees, as required by § 679.45

#### Identification of transferee (lessee)

Name and NMFS Person ID of Transferee

Permanent Business Mailing Address and Temporary Business Mailing Address

Business Telephone Number and Business Fax Number

Business E-mail Address

Indicate whether transferee paid all fees, as required by § 679.45

#### Identification of IFQ and/or GAF to be transferred

IFQ Permit Number

IPHC Area

Charter Halibut Permit Number

GAF Permit Number (only when GAF is returning to the IFQ permit holder)

Number of GAF

#### Certification of transferor

Signature and printed name of Transferor and date signed

If authorized representative, **attach** authorization

#### Certification of transferee

Signature and printed name of Transferee and date signed

If authorized representative, **attach** authorization

Changed personnel costs from \$25/hr to \$37/hr. Changed postage rates from 0.42 to 0.45. Changed respondents from 520 to 24 based on actual counts.

<b>Application for Transfer Between IFQ and GAF, Respondent</b>	
<b>Number of respondents</b>	<b>24</b>
<b>Total annual responses</b>	<b>24</b>
Frequency of response = 1	
<b>Total burden hours</b>	<b>36 hr</b>
Time per response = 90 minutes	
<b>Total personnel costs (\$37/hr x 36)</b>	<b>\$1,332</b>
<b>Total miscellaneous costs (47.55)</b>	<b>\$48</b>
Mail (1.35 x 21 = 28.35)	
Fax (6 x 3 = 18)	
Photocopy (.05 x 24 = 1.20)	

<b>Application for Transfer Between IFQ and GAF, Federal Government</b>	
<b>Number of responses</b>	<b>24</b>
<b>Total burden hours</b>	<b>12 hr</b>
Time per response = 30 minutes	
<b>Total personnel costs (\$37/hr x 12)</b>	<b>\$444</b>
<b>Total miscellaneous costs</b>	<b>\$100,000</b>
Annual equipment costs and updates	

**f. Appeals for CHP [REMOVED – CHPs only available through transfer]**

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.**

“Fillable” applications are available at the NMFS Alaska Region web page at [www.alaskafisheries.noaa.gov](http://www.alaskafisheries.noaa.gov), for the participant to download, print, and mail or deliver to NMFS.

NMFS, Alaska Region's online Fisheries Information System called eFISH provides fishermen access to their NMFS permit accounts to: enter GAF landings, report a GAF landing and check a GAF permit balance, check account and vessel balances, and landing ledger reports.

**4. Describe efforts to identify duplication.**

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

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

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

The entities directly regulated by this action are guided charter businesses active in IPHC Areas 2C and 3A. The Small Business Administration (SBA) specifies that for marinas and charter/party boats, a small business is one with annual receipts less than \$6.0 million. The largest of these charter 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 operations are considered small entities, based on SBA criteria, because they are expected to have gross revenues of less than \$6.0 million on an annual basis.

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

If the collection is not conducted or is conducted less frequently, the absence of a hard allocation between the commercial and the charter halibut sectors results in conflicts between sectors and tensions in coastal communities dependent on the halibut resource. Unless a mechanism for transfer between sectors is established, the existing environment of instability and conflict will continue. The Council seeks to correct this instability, while balancing the needs of all who depend on the halibut resource for food, sport, or livelihood.

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

1Not applicable.

**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.**

A Federal Register Notice published on July 30, 2014 (79 FR 44161) solicited public comments. No comments were received.

NMFS prepared and distributed by email a questionnaire to randomly selected respondents. The questionnaire is attached as a supplementary document.

The questionnaire contained questions for three applications, as shown below:

Application for Transfer of a Charter Halibut Permit
Application for a Military Charter Halibut Permit
Application for Transfer (Lease) between Individual Fishing Quota(IFQ) and Guided Angler Fish (GAF)

Three questionnaires were sent out January 7, 2015; no responses were returned. Three additional questionnaires were sent out January 21, 2015; one response was received which stated: “ ***After looking over the questions asked on the halibut charter permits survey, it appears none apply to me, as I do not have a transferable permit, am not looking for a military permit, and will not be leasing any IFQ or GAF.***”

This collection (OMB Control No. 0648-0592) describes charter permits issued as a limited access system for Federal Charter Halibut Permits (CHPs) for operators in the charter halibut fishery in IPHC Regulatory Areas 2C (Southeast Alaska) and 3A (South Central Alaska). The application period to obtain a CHP was February 4 through April 5, 2010; therefore, a CHP may now be obtained only through transfer.

Each CHP permit holder is required to submit fishery data (see OMB Control No. 0648-0575) to the Sport (Charter) Division of the Alaska Department of Fish & Game (ADF&G). ADF&G’s perception of utility of the collected data is evidenced by their use of the data collected from charter halibut permitholders and analyzed in the IPHC stock assessment. A letter from ADF&G addressed to the IPHC presents Pacific halibut sport (charter) fishery information for Alaska waters in support of the annual IPHC stock assessment for 2015. The letter is attached as a supplementary document.

**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.

**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 unique respondents: 68, down from 941. Estimated total responses: 68, down from 1,312. Estimated total burden hours: 98, down from 2,160 hr. Estimated total personnel costs: \$3,626, down from \$54,025. Personnel labor costs are estimated to the average wage equivalent to a GS-9 employee in Alaska, including COLA, at \$37 per hour.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).**

Estimated total miscellaneous costs: \$196, down from \$4,936.

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

Estimated total burden hours: 34, down from 689 hr. Estimated total personnel costs: \$1,258, down from \$18,125. Estimated total miscellaneous costs \$100,000 (Annual equipment costs and updates).

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

**Adjustments are made due to actual counts of permits, cost of postage, and personnel costs.**

Application for Transfer of Charter Halibut Permit

- a decrease of 67 respondents and responses, 18 instead of 85
- a decrease of 134 hr, 36 instead of 170 hr
- a decrease of \$2,918 personnel costs, \$1,332 instead of \$4,250
- a decrease of \$2,078 miscellaneous costs, \$100 instead of \$2,178

Application for MWR Charter Halibut Permit

- an increase of \$312 personnel costs, \$962 instead of \$650
- a decrease of \$40 miscellaneous costs, \$48 instead of \$88

Application for Transfer between IFQ and GAF

- a decrease of 887 respondents and responses, 24 instead of 911
- a decrease of 1,330 hr, 36 instead of 1,366 hr
- a decrease of \$32,843 personnel costs, \$1,332 instead of \$34,175
- a decrease of \$1,661 miscellaneous costs, \$48 instead of \$1,709

**Program Changes are made due to information applications no longer being applicable**

Application of a Charter Halibut Permit [Removed]

- a decrease of 851 respondents, 0 instead of 851
- a decrease of 281 responses, 0 instead of 281
- a decrease of 562 hr burden, 0 instead of 562 hr
- a decrease of \$14,050 personnel costs, 0 instead of \$14,050
- a decrease of \$955 miscellaneous costs, 0 instead of \$955

Appeals [Removed]

- a decrease of 9 respondents and responses, 0 instead of 9
- a decrease of 36 hr, 0 instead of 36 hr
- a decrease of \$900 personnel costs, 0 instead of \$900
- a decrease of \$6 miscellaneous costs, 0 instead of \$6

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

The information collected will not be published.

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

Not applicable.

**18. Explain each exception to the certification statement.**

Not applicable.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.