

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 07/26/2011

Department of Commerce
National Oceanic and Atmospheric Administration
FOR CERTIFYING OFFICIAL: Simon Szykman
FOR CLEARANCE OFFICER: Diana Hynek

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 05/19/2011

ACTION REQUESTED: Extension without change of a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 201105-0648-001
AGENCY ICR TRACKING NUMBER:
TITLE: Alaska Pacific Halibut Fisheries: Special Subsistence Permits and Harvest Logs
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0512
The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 07/31/2014 DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	415	325	529
New	33	17	21
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	-382	-308	-508
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: Kevin F. Neyland
Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Special Subsistence Permits	NA	Subsistence Halibut Special Permits Application	
Community Harvest Permit Log	NA	Subsistence halibut community harvest permit log	
Ceremonial or Educational Permit Log	NA	Subsistence Halibut Ceremonial and Educational Permit Log	
Subsistence Halibut Permit Appeals			50 CFR 300 Subpart E

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) (<i>if applicable</i>)	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	10. Abstract
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT
ALASKA PACIFIC HALIBUT FISHERIES:
SPECIAL SUBSISTENCE PERMITS AND HARVEST LOGS
OMB CONTROL NO. 0648-0512**

INTRODUCTION

Management of the Pacific halibut fishery in and off Alaska is based on an international agreement between Canada and the United States (U.S.). This agreement, titled the “Convention between United States of America and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea” (Convention), was signed at Ottawa, Canada on March 2, 1953, and amended by the “Protocol Amending the Convention,” signed at Washington, D.C., March 29, 1979. The [Northern Pacific Halibut Act of 1982](#) (Halibut Act) gives this Convention, administered by the International Pacific Halibut Commission (IPHC), effect in the U.S.

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

The halibut subsistence fishery is intended to allow eligible persons to practice the long-term customary and traditional harvest of Pacific halibut for food in a non-commercial manner. In Alaska’s coastal areas, subsistence halibut fisheries are local, non-commercial, customary, and traditional food fisheries. Persons eligible to subsistence halibut fish include:

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

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

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

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

A. JUSTIFICATION

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

The halibut subsistence program is intended to allow eligible persons to practice the long-term customary and traditional harvest of Pacific halibut for food in a non-commercial manner. In Alaska’s coastal areas, subsistence halibut fisheries are local, non-commercial, customary, and traditional food fisheries. NMFS confirms the eligibility of registration applicants based on the information provided on an application form. If eligible, the applicant receives the specialized permit for which he/she applied. Compliance with the registration and reporting system for all specialized permits is required.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

Except for enrolled students fishing under a valid Educational Permit, specialized permits require persons fishing under them to also possess a Subsistence Halibut Registration Certificate (SHARC) (see OMB Control No. 0648-0460) which identifies those persons who are currently eligible for subsistence halibut fishing.

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

a. Subsistence Halibut Special Permits Application.

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

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

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

Ceremonial or Educational Permit

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

Ceremonial and Educational Permits consist of a single laminated permit card and one harvest log for each type issued by NMFS. Either permit expires 30 days from its date of issuance. The permit and log of each type must be returned within 15 days following the permit's expiration date regardless of whether halibut were harvested using the permit. Eligible tribes may request and possess multiple Ceremonial Permits at any given time. Each Alaska Native tribe is limited to only one Ceremonial Permit Coordinator per tribe for Ceremonial Permits, or one Authorized Instructor per tribe for Educational Permits.

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

Community Harvest Permit (CHP)

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

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

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

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

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

Paper applications may be submitted by mail to:

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

or by fax to: (907) 586-7354

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

Subsistence Halibut Special Permits Application

Block A. Type of subsistence halibut special permit requested

Indicate whether applying for a community harvest permit, ceremonial permit, or educational permit

Indicate whether applying for a new permit or a renewal. If a renewal, enter permit number

Block B. Subsistence Halibut Community Harvest Permit

Name of Alaska Native tribe or community

CHP Coordinator

Name and daytime telephone number

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

Attachment: any previous CHP harvest logs

Block C. Subsistence Halibut Ceremonial Permit

Name of Alaska Native tribe or community

Ceremonial Halibut Permit Coordinator

Name and daytime telephone number

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

Describe occasion of cultural or ceremonial significance

Attachment: any previous ceremonial permit harvest logs

Block D. Subsistence Halibut Education Permit

Name of Alaska Native tribe or community

Education Permit Instructor

Name and daytime telephone number

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

Educational Institution or Organization

Name and daytime telephone number

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

Course description

Demonstrate enrollment of qualified students

Describe minimum attendance requirements

Describe standards for the successful completion of the educational program

Describe standards for successful completion of the course.

Attachment: any previous educational permit harvest logs.

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

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

Subsistence special permit application, Federal government	
Total annual responses	8
Total annual time burden hours (1.33)	1 hr
Estimated response time (10 min x 8 = 80 min)	
Total personnel cost (1 x \$25)	\$25
Total miscellaneous costs	0

b. Community Harvest Permit (CHP) Log.

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

Community Harvest Permit Log

Name of Community Harvest Permit Coordinator

Subsistence Fisher Identification

 Name of fisher

 Community of residence

 Date of birth

 Tribal affiliation

 SHARC number

Indicate whether fisher did subsistence halibut fishing during the period on permit

If YES, complete the following harvest information

 Date of harvest

 Local water body, bay or sound

 IPHC Regulatory Area

 Number and Pounds of Halibut

 Type of gear used

 Number of hooks set

 Number of incidental lingcod caught

 Number of incidental rockfish caught.

When maintaining a community harvest log, the coordinator would take an estimated 30 minutes to instruct each fisherman on responsibilities prior to fishing and to record the fisherman's catch information when returning. The 30 minutes is per fisherman. It is estimated that up to three fishermen would fish against the license.

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

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

c. Subsistence Ceremonial or Educational Permit Harvest Log

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

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

Subsistence Ceremonial or Educational Permit Harvest Log

Name of Ceremonial Permit Coordinator or Educational Permit Instructor

Subsistence Fisher Identification

- Name of fisher or student
- Daytime telephone number
- Mailing address (number and street, city and state, zip code)
- Community of residence

- Date of birth
- Tribal affiliation
- SHARC number (students do not need a SHARC)
- Indicate whether fisher did subsistence halibut fishing during the period on permit
- If YES, complete the following harvest information
 - Date of harvest
 - Local water body, bay or sound
 - IPHC Regulatory Area
 - Number and weight (in pounds) of halibut
 - Type of gear used
 - Number of hooks set
 - Number of incidental lingcod caught
 - Number of incidental rockfish caught

Additionally, the educational permit must include:

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

When maintaining a ceremonial or educational permit harvest log, the coordinator or instructor would take an estimated 30 minutes to instruct each fisherman on responsibilities prior to fishing and to record the fisherman's catch information when returning. The 30 minutes is per fisherman. It is estimated that up to three fishermen would fish against the license.

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

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

d. Appeals Process.

NMFS provides an appeals process to provide administrative due process to those whose applications for a Community Harvest Permit, Ceremonial Permit, or Educational Permit are denied and to those whose permit is subject to revocation.

In every instance in which an administrative determination is made to deny an application or to revoke a permit, NMFS issues a formal Initial Administrative Decision (IAD) to the affected applicant or permit holder. If dissatisfied with the determination, the applicant may appeal to the NMFS Alaska Region Office of Administrative Appeals (OAA) under 50 CFR part 679.43. For permit appeals, the participant must provide a written statement in support of the appeal and must show why the initial determination should be reversed. If the participant does not appeal within 60 days following the issuance of the IAD, the IAD becomes a Final Agency Determination.

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

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

Subsistence special permit appeal, Federal government	
Total annual responses	1
Total annual time burden hours (2 x 25)	25 hr
Time per response = 25 hr	
Total personnel costs (25 x \$25)	\$625
Total miscellaneous costs	0

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

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

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

4. Describe efforts to identify duplication.

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

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

A person must be a resident of a rural place listed in the table at 50 CFR 300.65(f)(1) or an identified member of a federally recognized Alaska Native tribe in the table at 50 CFR 300.65(f)(2) to be eligible to harvest subsistence halibut. These eligible persons are small entities; either individuals, households, or Tribal Governments. There are a possible 38 tribes eligible for these permits, and 8 actual participants. The collection of information does not impose a significant impact on small entities.

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

Without the specified permitting and reporting scheme described in this Supporting Statement, the halibut subsistence program would be unable to proceed. In addition, much needed information on the halibut subsistence fishery would be lost.

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

Not Applicable.

8. Provide a copy of the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

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

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

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

No payment or gift is provided under this program.

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

This information is used to monitor the subsistence halibut program under the Northern Pacific Halibut Act of 1982. Responses to this information request are not confidential and this information is stated on the forms.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No issues of a sensitive nature exist under this program.

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

Estimated total respondents: 33, decreased from 109. Estimated total responses: 33, decreased from 415. Estimated total burden: 17 hr, decreased from 325 hr. Estimated total personnel costs: \$425, decreased from \$8,125. The personnel cost \$25 per hour is based on the average wage equivalent to a GS-7 employee in Alaska, including COLA.

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

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

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

Estimated total burden hours: 33 hr, decreased from 182. Estimated total personnel cost: \$825, decreased from \$4,550. The personnel cost \$25 per hour is based on the average wage equivalent to a GS-7 employee in Alaska, including COLA, except for the Appeals Office which is estimated to be \$75 per hour.

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

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

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

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

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

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

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

Information obtained through registration to issue Halibut Subsistence Community Harvest Permits, Ceremonial Permits, and Educational Permits is posted on the NMFS Alaska Region at http://www.alaskafisheries.noaa.gov/ram/daily/subsist_other_than_sharc.pdf. The information is posted in lists sorted by holder, by eligible tribe, and by eligible community. In addition, a summary by date of the special permits issued to rural and tribal applicants is posted.

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

Not Applicable.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

Instructions for Completing the SUBSISTENCE HALIBUT COMMUNITY HARVEST PERMIT (CHP) LOG
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The Halibut Subsistence Fishery is authorized by Federal regulations at 50 CFR Part 300 and provides for eligible persons to conduct subsistence halibut fishing in Convention waters off Alaska.

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 for customary trade.

The Community Harvest Permit (CHP) Program allows an eligible tribe or community to select individual harvesters who may possess particular expertise in halibut fishing to harvest halibut on behalf of the community or tribe under reduced gear and harvest restrictions. NMFS will issue a laminated CHP permit card and a harvest log to the tribe or community for each approved registration application. The tribe or community must designate a coordinator as part of the registration process. An eligible community or tribe may possess only one CHP at any given time and the CHP expires 1 year from the date of issuance. Renewal of the CHP is the responsibility of the tribe or community.

Alaska Native Tribe means, for purposes of the subsistence fishery for Pacific halibut in waters in and off Alaska, a federally recognized Alaska Native tribe that has customary and traditional use of halibut.

It is the responsibility of the CHP coordinator to issue the laminated CHP permit card to an eligible fisherman. The fisherman must have the CHP permit card as well as his/her SHARC on his/her person when fishing under the CHP.

1. Enter the name of the CHP Coordinator.
2. Enter the following information for each subsistence halibut fisherman:

Name of fisher. Enter full name (First, Middle, Last). Please include any suffixes such as Jr., Sr., etc.

Community of residence (city and state). This Community must be one of the rural communities listed in CFR 300.65(f)(1).

Date of birth (month/day/year).

Tribal affiliation. Enter the name of the Alaska Native Tribe qualifies the fisherman as eligible to fish for subsistence halibut. This tribe must be one of the Alaska Native Tribes listed in 50 CFR 300.65(f)(2).

SHARC number. Enter the Subsistence Halibut Registration Certificate (SHARC) number of the fisherman.

3. Indicate YES or NO whether fisher did subsistence halibut fishing during the period indicated on the special permit. If YES, complete the following harvest information

Date of harvest

Name of local water body, bay or sound. Record the location where the fisherman did most of the subsistence halibut fishing under this special permit.

IPHC Regulatory Area. Record the International Pacific Halibut Commission Regulatory Area (IPHC) that describes the location where the fisherman did the subsistence halibut fishing under this permit. These Regulatory Areas are listed in Figure 15 to 50 CFR part 679.

Number and pounds of halibut caught. Identify both the number and pounds of halibut harvested.

Type of gear used.

Number of hooks set.

Number of incidental lingcod and incidental rockfish caught. DO NOT include all the lingcod and rockfish you harvested, but just those you harvested while subsistence halibut fishing under this special permit. "Rockfish" means all fish of the genus Sebastes. These include red snapper and black bass. "Rockfish" does NOT include sculpin, greenling, or cod. Please do not include these other fish in your harvest estimates for rockfish.

Please mail the completed log to:

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

If you have questions, call 1-800-304-4846 or Fax 907-586-7354.

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

Before completing this form please note the following: 1) The NMFS may not conduct or sponsor this information request, and you are not required to respond to this information request, unless the form displays a currently valid OMB control number; 2) This information is being used to manage the Alaska Subsistence Halibut Program; 3) Federal law and regulations require and authorize NMFS to manage subsistence halibut programs in Alaska; 4) Submission of this information is mandatory for any tribe or community participating in directed fishing for Pacific halibut under the Community Harvest Permit Program; 5) This information is used to monitor the subsistence halibut program under the Northern Pacific Halibut Act of 1982; 6) Responses to this information request are not confidential.

<p>Instructions for Completing the SUBSISTENCE HALIBUT CEREMONIAL OR EDUCATIONAL HARVEST PERMIT (CPEP) LOG</p>
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The Halibut Subsistence Fishery is authorized by Federal regulations at 50 CFR Part 300 and provides for eligible persons to conduct subsistence halibut fishing in Convention waters off Alaska.

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 for customary trade.

Alaska Native Tribe means, for purposes of the subsistence fishery for Pacific halibut in waters in and off Alaska, a federally recognized Alaska Native tribe that has customary and traditional use of halibut.

Ceremonial and Educational Permits are available exclusively to Alaska Native tribes. Ceremonial and Educational Permits consist of a laminated permit card and a harvest log issued by NMFS. Either permit expires 30 days from its date of issuance and must be returned within 15 days following its expiration regardless of whether halibut were harvested using the permit. However, eligible tribes may apply for additional permits as necessary and may possess multiple permits at any given time

1. Enter the name of the Educational Permit Instructor.
2. Enter the following information for each subsistence halibut fisherman:

Name of fisher. Enter full name (First, Middle, Last). Please include any suffixes such as Jr., Sr., etc.

Community of residence (city and state). This Community must be one of the rural communities listed in CFR 300.65(f)(1).

Date of birth (month/day/year).

Tribal affiliation. Enter the name of the Alaska Native Tribe qualifies the fisherman as eligible to fish for subsistence halibut. This tribe must be one of the Alaska Native Tribes listed in 50 CFR 300.65(f)(2).

SHARC number. Specialized permits require persons fishing under them to also possess a SHARC (see OMB No. 0648-0460), except that enrolled students fishing under a valid Educational Permit may fish without a Subsistence Halibut Registration Certificate (SHARC) number.

3. Indicate YES or NO whether fisher did subsistence halibut fishing during the period indicated on the special permit. If YES, complete the following harvest information

Date of harvest

Name of local water body, bay or sound. Record the location where the fisherman did most of the subsistence halibut fishing under this special permit.

IPHC Regulatory Area. Record the International Pacific Halibut Commission Regulatory Area (IPHC) that describes the location where the fisherman did the subsistence halibut fishing under this permit. These Regulatory Areas are listed in Figure 15 to 50 CFR part 679.

Number and pounds of halibut caught. Identify both the number and pounds of halibut harvested.

Type of gear used.

Number of hooks set.

Number of incidental lingcod and incidental rockfish caught. DO NOT include all the lingcod and rockfish you harvested, but just those you harvested while subsistence halibut fishing under this special permit. "Rockfish" means all fish of the genus Sebastes. These include red snapper and black bass. "Rockfish" does NOT include sculpin, greenling, or cod. Please do not include these other fish in your harvest estimates for rockfish.

Please mail the completed log to:

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

If you have questions, call (800) 304-4846 or Fax (907) 586-7354.

PUBLIC REPORTING BURDEN STATEMENT

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ADDITIONAL INFORMATION

Before completing this form please note the following: 1) The NMFS may not conduct or sponsor this information request, and you are not required to respond to this information request, unless the form displays a currently valid OMB control number; 2) This information is being used to implement the Alaska Subsistence Halibut Program; 3) Federal law and regulations require and authorize NMFS to manage subsistence halibut programs in Alaska; 4) Submission of this information is mandatory for any tribe or community participating in directed fishing for Pacific halibut under the Ceremonial or Educational Permit Program; 5) This information is used to monitor the subsistence halibut program under the Northern Pacific Halibut Act of 1982; 6) Responses to this information request are not confidential.

	<h2>Subsistence Halibut Special Permits Application</h2>	U.S. Dept of Commerce/NOAA National Marine Fisheries Service Restricted Access Management P.O. Box 21668 Juneau, Alaska 99802-1668 Telephone: 1-800-304-4846 FAX: 907-586-7354 
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Block A - Type of Subsistence Halibut Special Permit Requested

Please indicate the type of permit for which you are applying (please mark only one):

Community Harvest Permit
 Ceremonial Permit
 Educational Permit

Are you applying for a new permit or a renewal of an existing permit?
 New Renewal

If a Renewal, enter permit number

Block B - Subsistence Halibut Community Harvest Permit

1. Name of Alaska Native tribe or community

2. Community Halibut Permit Coordinator

Name (First, Middle, Last)

Mailing Address (Number, Street, City, State, Zip Code) Daytime Telephone Number

NOTE: Attach any previously issued CHP harvest logs

Block C - Subsistence Halibut Ceremonial Permit

1. Name of Alaska Native tribe or community

2. Ceremonial Halibut Permit Coordinator

Name (First, Middle, Last)

Mailing Address (Number, Street, City, State, Zip Code) Daytime Telephone Number

3. Describe occasion of cultural or ceremonial significance

NOTE: Attach any previously issued ceremonial permit harvest logs

Block D - Subsistence Halibut Education Permit

1. Name of Alaska Native Tribe

2. Educational Halibut Permit Instructor

Name (First, Middle, Last)

Daytime Telephone Number

Mailing Address (Number, Street, City, State, Zip Code)

3. Educational Institution or Organization

Mailing Address (Number, Street, City, State, Zip Code)

Daytime Telephone Number

4. Course Description (add extra sheet if necessary)

5. Demonstrate enrollment of qualified students

6. Describe minimum attendance requirements

7. Describe standards for the successful completion of the educational program

8. Describe standards for successful completion of the course

NOTE: Attach any previously issued educational permit harvest logs

INSTRUCTIONS
Subsistence Halibut Special Permits Application

The Halibut Subsistence Fishery is authorized by Federal regulations at 50 CFR Part 300.60 through 300.66 and provides for eligible persons to conduct subsistence halibut fishing in Convention waters off Alaska.

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Alaska Native Tribe means, for purposes of the subsistence fishery for Pacific halibut in waters in and off Alaska, a federally recognized Alaska Native tribe that has customary and traditional use of halibut. It is the responsibility of the CHP coordinator to issue the laminated CHP permit card to an eligible fisherman. The fisherman must have the CHP permit card as well as his/her SHARC on his/her person when fishing under the CHP.

Mail application to:

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

If you have questions, call: 1-800-304-4846 or FAX: 907-586-7354.

COMPLETING THE APPLICATION

BLOCK A - TYPE OF SUBSISTENCE HALIBUT SPECIAL PERMIT REQUESTED

Please indicate the type of permit for which you are applying (please mark only one):

Community Harvest Permit,
Ceremonial Permit, or
Educational Permit.

Indicate whether you are applying for a new permit or a renewal of an existing permit.

If a Renewal, enter permit number

BLOCK B - SUBSISTENCE HALIBUT COMMUNITY HARVEST PERMIT

1. Name of Alaska Native tribe or community
2. Community Halibut Permit Coordinator
Name (First, Middle, Last)
Mailing Address (Number, Street, City, State, Zip Code)
Daytime Telephone Number

NOTE: Attach any previously issued CHP harvest logs.

BLOCK C - SUBSISTENCE HALIBUT CEREMONIAL PERMIT

1. Name of Alaska Native tribe or community
2. Ceremonial Halibut Permit Coordinator
Name (First, Middle, Last)
Mailing Address (Number, Street, City, State, Zip Code)
Daytime Telephone Number
3. Describe occasion of cultural or ceremonial significance

NOTE: Attach any previously issued ceremonial permit harvest logs.

BLOCK D - SUBSISTENCE HALIBUT EDUCATION PERMIT

1. Name of Alaska Native Tribe
2. Educational Halibut Permit Instructor
Name (First, Middle, Last)
Mailing Address (Number, Street, City, State, Zip Code)
Daytime Telephone Number
3. Educational Institution or Organization
Mailing Address (Number, Street, City, State, Zip Code)
Daytime Telephone Number
4. Course Description (add extra sheet if necessary)
5. Demonstrate enrollment of qualified students
6. Describe minimum attendance requirements
7. Describe standards for the successful completion of the educational program
8. Describe standards for successful completion of the course

NOTE: Attach any previously issued education permit harvest logs.

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

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e-CFR Data is current as of March 8, 2011

Title 50: Wildlife and Fisheries

PART 300—INTERNATIONAL FISHERIES REGULATIONS

Subpart E—Pacific Halibut Fisheries

Authority: 16 U.S.C. 773–773k.

§ 300.65 Catch sharing plan and domestic management measures in waters in and off Alaska.

(a) A catch sharing plan (CSP) may be developed by the North Pacific Fishery Management Council and approved by NMFS for portions of the fishery. Any approved CSP may be obtained from the Administrator, Alaska Region, NMFS.

(b) The catch sharing plan for Commission regulatory area 4 allocates the annual TAC among area 4 subareas and will be implemented by the Commission in annual management measures published pursuant to 50 CFR 300.62.

(c) *Guideline harvest level.*

(1) The annual GHLS for Regulatory Areas 2C and 3A are determined as follows:

If the Annual Total Constant Exploitation Yield for Halibut is More Than:	Then the GHL will be:
(i) Regulatory Area 2C	

(A) 9,027,000 lb (4,094.6 mt)	1,432,000 lb (649.5 mt)
(B) 7,965,000 lb (3,612.9 mt)	1,217,000 lb (552.0 mt)
(C) 6,903,000 lb (3,131.1 mt)	1,074,000 lb (487.2 mt)
(D) 5,841,000 lb (2,649.4 mt)	931,000 lb (422.3 mt)
(E) 4,779,000 lb (2,167.7 mt)	788,000 lb (357.4 mt)
(ii) Regulatory Area 3A	
(A) 21,581,000 lb (9,789.0 mt)	3,650,000 lb (1,655.6 mt)
(B) 19,042,000 lb (8,637.3 mt)	3,103,000 lb (1,407.5 mt)
(C) 16,504,000 lb (7,486.1 mt)	2,734,000 lb (1,240.1 mt)
(D) 13,964,000 lb (6,334.0 mt)	2,373,000 lb (1,076.4 mt)
(E) 11,425,000 lb (5,182.3 mt)	2,008,000 lb (910.8 mt)

(2) NMFS will publish a notice in the Federal Register on an annual basis announcing the GHL based on the table in paragraph (c)(1) of this section for Area 2C and Area 3A for that calendar year after the IPHC establishes the constant exploitation yield for that year.

(3) The announced GHLS for Area 2C and 3A are intended to be the benchmarks for charter halibut harvest in those areas for the year in which it is announced pursuant to paragraph (c)(2) of this section. NMFS may take action at any time to limit the charter halibut harvest to as close to the GHL as practicable.

(d) *Charter vessels in Area 2C and Area 3A*

(1) *General requirements*

(i) *Logbook submission.* Alaska Department of Fish and Game Saltwater Sport Fishing Charter Trip Logbook data sheets must be submitted to the Alaska Department of Fish and Game, Division of Sport Fish, 333 Raspberry Road, Anchorage, AK 99518–1599, and postmarked no more than seven calendar days after the end of a charter vessel fishing trip.

(ii) The charter vessel guide is responsible for complying with the reporting requirements of this paragraph (d). The employer of the charter vessel guide is responsible for ensuring that the charter vessel guide complies with the reporting requirements of this paragraph (d).

(2) *Charter vessels in Area 2C*

(i) *Daily bag limit.* The number of halibut caught and retained by each charter vessel angler in Area 2C is limited to no more than one halibut per calendar day.

(ii) *Charter vessel guide and crew restriction.* A charter vessel guide, a charter vessel operator, and any crew member of a charter vessel must not catch and retain halibut during a charter fishing trip.

(iii) *Line limit.* The number of lines used to fish for halibut onboard a vessel must not exceed six or the number of charter vessel anglers, whichever is less.

(iv) *Recordkeeping and reporting requirements in Area 2C.* Each charter vessel angler and charter vessel guide onboard a vessel in Area 2C must comply with the following recordkeeping and reporting requirements (see paragraphs (d)(2)(iv)(A) and (B) of this section):

(A) *Charter vessel angler signature requirement.* At the end of a charter vessel fishing trip, each charter vessel angler who retains halibut caught in Area 2C must acknowledge that his or her information and the number of halibut retained (kept) are recorded correctly by signing the back of the Alaska Department of Fish and Game Saltwater Sport Fishing Charter Trip Logbook data sheet on the line number that corresponds to the angler's information on the front of the logbook data sheet.

(B) *Charter vessel guide requirements.* For each charter vessel fishing trip in Area 2C, the charter vessel guide must record the following information (see paragraphs (d)(2)(iv)(B)(1) through (8) of this section) in the Alaska Department of Fish and Game Saltwater Sport Fishing Charter Trip Logbook:

(1) *Business owner license number.* The sport fishing operator business license number issued by the Alaska Department of Fish and Game to the charter vessel guide or the charter vessel guide's employer.

(2) *Guide license number.* The Alaska Department of Fish and Game sport fishing guide license number held by charter vessel guide who certified the logbook data sheet.

(3) *Date.* Month and day for each charter vessel fishing trip taken. A separate logbook data sheet is required for each charter vessel fishing trip if two or more trips were taken on the same day. A separate logbook data sheet is required for each calendar day that halibut are caught and retained during a multi-day trip.

(4) *Regulatory area fished.* Circle the regulatory area (Area 2C or Area 3A) where halibut were caught and retained during each charter vessel fishing trip. If halibut were caught and retained in Area 2C and Area 3A during the same charter vessel fishing trip, then a separate logbook data sheet must be used to record halibut caught and retained for each regulatory area.

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

(6) *Number of halibut retained.* For each charter vessel angler, record the number of halibut caught and retained during the charter vessel fishing trip.

(7) *Signature.* At the end of a charter vessel fishing trip, acknowledge that the recorded information is correct by signing the logbook data sheet.

(8) *Angler signature.* The charter vessel guide is responsible for ensuring that charter vessel anglers comply with the signature requirements at paragraph (d)(2)(iv)(A) of this section.

(3) *Recordkeeping and reporting requirements in Area 3A.* For each charter vessel fishing trip in Area 3A, the charter vessel guide must record the regulatory area (Area 2C or Area 3A) where halibut were caught and retained by circling the appropriate area in the Alaska Department of Fish and Game Saltwater Sport Fishing Charter Trip Logbook. If halibut were caught and retained in Area 2C and Area 3A during the same charter vessel fishing trip, then a separate logbook data sheet must be used to record halibut caught and retained for each regulatory area.

(e) The Local Area Management Plan (LAMP) for Sitka Sound provides guidelines for participation in the halibut fishery in Sitka Sound.

(1) For purposes of this section, Sitka Sound means (See Figure 1 to subpart E):

(i) With respect to paragraph (e)(2) of this section, that part of the Commission regulatory area 2C that is enclosed on the north and east:

(A) By a line from Kruzof Island at 57°20'30" N. lat., 135°45'10" W. long. to Chichagof Island at 57°22'03" N. lat., 135°43'00" W. long., and

(B) By a line from Chichagof Island at 57°22'35" N. lat., 135°41'18" W. long. to Baranof Island at 57°22'17" N. lat., 135°40'57" W. long.; and

(C) That is enclosed on the south and west by a line from Cape Edgecumbe at 56°59'54" N. lat., 135°51'27" W. long. to Vasilief Rock at 56°48'56" N. lat., 135°32'30" W. long., and

(D) To the green day marker in Dorothy Narrows at 56°49'17" N. lat., 135°22'45" W. long. to Baranof Island at 56°49'17" N. lat., 135°22'36" W. long.

(ii) With respect to paragraphs (e)(3), (e)(4), and (e)(5) of this section, that part of the Commission Regulatory Area 2C that is enclosed on the north and east:

(A) By a line from Kruzof Island at 57°20'30" N. lat., 135°45'10" W. long. to Chichagof Island at 57°22'03" N. lat., 135°43'00" W. long., and

(B) A line from Chichagof Island at 57°22'35" N. lat., 135°41'18" W. long. to Baranof Island at 57°22'17" N. lat., 135°40'57" W. lat.; and

(C) That is enclosed on the south and west by a line from Sitka Point at 56°59'23" N. lat., 135°49'34" W. long., to Hanus Point at 56°51'55" N. lat., 135°30'30" W. long.,

(D) To the green day marker in Dorothy Narrows at 56°49'17" N. lat., 135°22'45" W. long. to Baranof Island at 56°49'17" N. lat., 135°22'36" W. long.

(2) A person using a vessel greater than 35 ft (10.7 m) in overall length, as defined at 50 CFR 300.61, is prohibited from fishing for IFQ halibut with setline gear, as defined at 50 CFR 300.61, within Sitka Sound as defined in paragraph (e)(1)(i) of this section.

(3) A person using a vessel less than or equal to 35 ft (10.7 m) in overall length, as defined at 50 CFR 300.61:

(i) Is prohibited from fishing for IFQ halibut with setline gear within Sitka Sound, as defined in paragraph (e)(1)(ii) of this section, from June 1 through August 31; and

(ii) Is prohibited, during the remainder of the designated IFQ season, from retaining more than 2,000 lb (0.91 mt) of IFQ halibut within Sitka Sound, as defined in paragraph (e)(1)(ii) of this section, per IFQ fishing trip, as defined in 50 CFR 300.61.

(4) No charter vessel shall engage in sport fishing, as defined at §300.61, for halibut within Sitka Sound, as defined in paragraph (e)(1)(ii) of this section, from June 1 through August 31.

(i) No charter vessel shall retain halibut caught while engaged in sport fishing, as defined at §300.61, for other species, within Sitka Sound, as defined in paragraph (e)(1)(ii) of this section, from June 1 through August 31.

(ii) Notwithstanding paragraphs (e)(4) and (e)(4)(i) of this section, halibut harvested outside Sitka Sound, as defined in paragraph (e)(1)(ii) of this section, may be retained onboard a charter vessel engaged in sport fishing, as defined in §300.61, for other species within Sitka Sound, as defined in paragraph (e)(1)(ii) of this section, from June 1 through August 31.

(5) Setline gear may not be used in a 4 nm radius extending south from Low Island at 57°00.70' N. lat., 135°36.57' W. long. within Sitka Sound, as defined in paragraph (e)(1)(ii) of this section, from June 1 through August 31.

(f) Sitka Pinnacles Marine Reserve. (1) For purposes of this paragraph (f), the Sitka Pinnacles Marine Reserve means an area totaling 2.5 square nm off Cape Edgumbe, defined by straight lines connecting the following points in a counterclockwise manner:

56°55.5'N lat., 135°54.0'W long;

56°57.0'N lat., 135°54.0'W long;

56°57.0'N lat., 135°57.0'W long;

56°55.5'N lat., 135°57.0'W long.

(2) No person shall engage in commercial, sport or subsistence fishing, as defined at §300.61, for halibut within the Sitka Pinnacles Marine Reserve.

(3) No person shall anchor a vessel within the Sitka Pinnacles Marine Reserve if halibut is on board.

(g) *Subsistence fishing in and off Alaska* . No person shall engage in subsistence fishing for halibut unless that person meets the requirements in paragraphs (g)(1), (g)(2), or (g)(3) of this section.

(1) A person is eligible to harvest subsistence halibut if he or she is a rural resident of a community with customary and traditional uses of halibut listed in the following table:

Halibut Regulatory Area 2C

Rural Community	Organized Entity
Angoon	Municipality
Coffman Cove	Municipality
Craig	Municipality
Edna Bay	Census Designated Place
Elfin Cove	Census Designated Place
Gustavus	Census Designated Place
Haines	Municipality
Hollis	Census Designated Place
Hoonah	Municipality
Hydaburg	Municipality
Hyder	Census Designated Place
Kake	Municipality
Kasaan	Municipality
Klawock	Municipality
Klukwan	Census Designated Place
Metlakatla	Census Designated Place
Meyers Chuck	Census Designated Place
Naukati	Municipality
Pelican	Municipality
Petersburg	Municipality
Point Baker	Census Designated Place
Port Alexander	Municipality
Port Protection	Census Designated Place
Saxman	Municipality
Sitka	Municipality
Skagway	Municipality
Tenakee Springs	Municipality
Thorne Bay	Municipality
Whale Pass	Census Designated Place
Wrangell	Municipality

Halibut Regulatory Area 3A

Rural Community	Organized Entity
Akhiok	Municipality
Chenega Bay	Census Designated Place
Cordova	Municipality
Karluk	Census Designated Place
Kodiak City	Municipality
Larsen Bay	Municipality
Nanwalek	Census Designated Place
Old Harbor	Municipality
Ouzinkie	Municipality
Port Graham	Census Designated Place
Port Lions	Municipality
Seldovia	Municipality
Tatitlek	Census Designated Place
Yakutat	Municipality

Halibut Regulatory Area 3B

Rural Community	Organized Entity
Chignik Bay	Municipality
Chignik Lagoon	Census Designated Place
Chignik Lake	Census Designated Place
Cold Bay	Municipality
False Pass	Municipality
Ivanof Bay	Census Designated Place
King Cove	Municipality
Nelson Lagoon	Census Designated Place
Perryville	Census Designated Place
Sand Point	Municipality

Halibut Regulatory Area 4A

Rural Community	Organized Entity
Akutan	Municipality

Nikolski	Census Designated Place
Unalaska	Municipality

Halibut Regulatory Area 4B

Rural Community	Organized Entity
Adak	Census Designated Place
Atka	Municipality

Halibut Regulatory Area 4C

Rural Community	Organized Entity
St. George	Municipality
St. Paul	Municipality

Halibut Regulatory Area 4D

Rural Community	Organized Entity
Gambell	Municipality
Savoonga	Municipality
Diomedes (Inalik)	Municipality

Halibut Regulatory Area 4E

Rural Community	Organized Entity
Alakanuk	Municipality
Aleknegik	Municipality
Bethel	Municipality
Brevig Mission	Municipality
Chefornak	Municipality
Chevak	Municipality
Clark's Point	Municipality
Council	Census Designated Place
Dillingham	Municipality
Eek	Municipality
Egegik	Municipality
Elim	Municipality

Emmonak	Municipality
Golovin	Municipality
Goodnews Bay	Municipality
Hooper Bay	Municipality
King Salmon	Census Designated Place
Kipnuk	Census Designated Place
Kongiganak	Census Designated Place
Kotlik	Municipality
Koyuk	Municipality
Kwigillingok	Census Designated Place
Levelock	Census Designated Place
Manokotak	Municipality
Mekoryak	Municipality
Naknek	Census Designated Place
Napakiak	Municipality
Napaskiak	Municipality
Newtok	Census Designated Place
Nightmute	Municipality
Nome	Municipality
Oscarville	Census Designated Place
Pilot Point	Municipality
Platinum	Municipality
Port Heiden	Municipality
Quinhagak	Municipality
Scammon Bay	Municipality
Shaktoolik	Municipality
Sheldon Point (Nunam Iqua)	Municipality
Shishmaref	Municipality
Solomon	Census Designated Place
South Naknek	Census Designated Place
St. Michael	Municipality
Stebbins	Municipality
Teller	Municipality

Togiak	Municipality
Toksook Bay	Municipality
Tuntutuliak	Census Designated Place
Tununak	Census Designated Place
Twin Hills	Census Designated Place
Ugashik	Census Designated Place
Unalakleet	Municipality
Wales	Municipality
White Mountain	Municipality

(2) A person is eligible to harvest subsistence halibut if he or she is a member of an Alaska Native tribe with customary and traditional uses of halibut listed in the following table:

Halibut Regulatory Area 2C

Place with Tribal Headquarters	Organized Tribal Entity
Angoon	Angoon Community Association
Craig	Craig Community Association
Haines	Chilkoot Indian Association
Hoonah	Hoonah Indian Association
Hydaburg	Hydaburg Cooperative Association
Juneau	Aukquan Traditional Council Central Council Tlingit and Haida Indian Tribes Douglas Indian Association
Kake	Organized Village of Kake
Kasaan	Organized Village of Kasaan
Ketchikan	Ketchikan Indian Corporation
Klawock	Klawock Cooperative Association
Klukwan	Chilkat Indian Village
Metlakatla	Metlakatla Indian Community, Annette Island Reserve
Petersburg	Petersburg Indian Association
Saxman	Organized Village of Saxman
Sitka	Sitka Tribe of Alaska

Skagway	Skagway Village
Wrangell	Wrangell Cooperative Association

Halibut Regulatory Area 3A

Place with Tribal Headquarters	Organized Tribal Entity
Akhiok	Native Village of Akhiok
Chenega Bay	Native Village of Chanega
Cordova	Native Village of Eyak
Karluk	Native Village of Karluk
Kenai-Soldotna	Kenaitze Indian Tribe Village of Salamatoff
Kodiak City	Lesnoi Village (Woody Island) Native Village of Afognak Shoonaq' Tribe of Kodiak
Larsen Bay	Native Village of Larsen Bay
Nanwalek	Native Village of Nanwalek
Ninilchik	Ninilchik Village
Old Harbor	Village of Old Harbor
Ouzinkie	Native Village of Ouzinkie
Port Graham	Native Village of Port Graham
Port Lions	Native Village of Port Lions
Seldovia	Seldovia Village Tribe
Tatitlek	Native Village of Tatitlek
Wasilla	Village of Kanatak
Yakutat	Yakutat Tlingit Tribe

Halibut Regulatory Area 3B

Place with Tribal Headquarters	Organized Tribal Entity
Chignik Bay	Native Village of Chignik
Chignik Lagoon	Native Village of Chignik Lagoon
Chignik Lake	Chignik Lake Village
False Pass	Native Village of False Pass
Ivanof Bay	Ivanoff Bay Village
King Cove	Agdaagux Tribe of King Cove Native Village of Belkofski
Nelson Lagoon	Native Village of Nelson Lagoon
Perryville	Native Village of Perryville
Sand Point	Pauloff Harbor Village Native Village of Unga Qagan Tayagungin Tribe of Sand Point Village

Halibut Regulatory Area 4A

Place with Tribal Headquarters	Organized Tribal Entity
Akutan	Native Village of Akutan
Nikolski	Native Village of Nikolski
Unalaska	Qawalingin Tribe of Unalaska

Halibut Regulatory Area 4B

Place with Tribal Headquarters	Organized Tribal Entity
Atka	Native Village of Atka

Halibut Regulatory Area 4C

Place with Tribal Headquarters	Organized Tribal Entity
St. George St. Paul	Pribilof Islands Aleut Communities of St. Paul Island and St. George Island

Halibut Regulatory Area 4D

Place with Tribal Headquarters	Organized Tribal Entity
Gambell	Native Village of Gambell
Savoonga	Native Village of Savoonga
Diomedede (Inalik)	Native Village of Diomedede (Inalik)

Halibut Regulatory Area 4E

Place with Tribal Headquarters	Organized Tribal Entity
Alakanuk	Village of Alakanuk
Aleknagik	Native Village of Aleknagik
Bethel	Orutsararmuit Native Village
Brevig Mission	Native Village of Brevig Mission
Chefornak	Village of Chefornak
Chevak	Chevak Native Village
Clark's Point	Village of Clark's Point
Council	Native Village of Council
Dillingham	Native Village of Dillingham Native Village of Ekuk Native Village of Kanakanak
Eek	Native Village of Eek
Egegik	Egegik Village
Elim	Native Village of Elim
Emmonak	Chuloonawick Native Village Emmonak Village
Golovin	Chinik Eskimo Community
Goodnews Bay	Native Village of Goodnews Bay
Hooper Bay	Native Village of Hooper Bay Native Village of Paimiut
King Salmon	King Salmon Tribal Council
Kipnuk	Native Village of Kipnuk
Kongiganak	Native Village of Kongiganak
Kotlik	Native Village of Hamilton Village of Bill Moore's Slough

	Village of Kotlik
Koyuk	Native Village of Koyuk
Kwigillingok	Native Village of Kwigillingok
Levelock	Levelock Village
Manokotak	Manokotak Village
Mekoryak	Native Village of Mekoryak
Naknek	Naknek Native Village
Napakiak	Native Village of Napakiak
Napaskiak	Native Village of Napaskiak
Newtok	Newtok Village
Nightmute	Native Village of Nightmute Umkumiute Native Village
Nome	King Island Native Community Nome Eskimo Community
Oscarville	Oscarville Traditional Village
Pilot Point	Native Village of Pilot Point
Platinum	Platinum Traditional Village
Port Heiden	Native Village of Port Heiden
Quinhagak	Native Village of Kwinhagak
Scammon Bay	Native Village of Scammon Bay
Shaktoolik	Native Village of Shaktoolik
Sheldon Point (Nunam Iqua)	Native Village of Sheldon's Point
Shishmaref	Native Village of Shishmaref
Solomon	Village of Solomon
South Naknek	South Naknek Village
St. Michael	Native Village of Saint Michael
Stebbins	Stebbins Community Association
Teller	Native Village of Mary's Igloo Native Village of Teller
Togiak	Traditional Village of Togiak
Toksook Bay	Native Village of Toksook Bay
Tuntutuliak	Native Village of Tuntutuliak
Tununak	Native Village of Tununak
Twin Hills	Twin Hills Village

Ugashik	Ugashik Village
Unalakleet	Native Village of Unalakleet
Wales	Native Village of Wales
White Mountain	Native Village of White Mountain

(3) A person is eligible to harvest subsistence halibut if he or she is a rural resident in one of the rural areas of Alaska described as follows:

(i) Southeast Alaska east of 141° W. long., except for the land areas of the Ketchikan Gateway Borough as described at paragraph (g)(4)(i) of this section, the land areas of the City and Borough of Juneau, and the Ketchikan and Juneau non-subsistence marine waters areas as defined in paragraphs (h)(3)(i) and (h)(3)(ii) of this section (see figures 2 and 3 to this subpart E).

(ii) The Alaska Peninsula, Aleutian Islands, Kodiak Island Archipelago, and the area south of the northern boundary of the Bristol Bay Borough and south of 58°39.2' N. lat. (see figures 5, 6, and 7 to this subpart E).

(iii) Nelson, Nunivak, and Saint Lawrence Islands (see figure 6 to this subpart E).

(iv) All other areas of Alaska within ten statute miles of mean high water on the Bering Sea and Pacific Ocean coasts, south of Cape Espenberg, including along the Kuskokwim River to Bethel, and that are not specified as non-rural land or water areas as defined in paragraph (g)(4) of this section (see figures 4, 5, 6, and 7 to this subpart E).

(4) Non-rural areas consist of the non-subsistence marine waters areas defined in paragraph (h)(3) of this section and the land areas of the following cities and boroughs for purposes of the subsistence fishery for Pacific halibut in waters in and off Alaska:

(i) The Ketchikan Gateway Borough on May 18, 2008. This area encompasses all those islands bounded on the east, north, and west by Behm Canal, Behm Narrows, and Clarence Strait to its junction with Nichols Passage, and on the south by Nichols and Revillagigedo Channel to its junction with Behm Canal. The designated boundaries extend to the center line of Behm Canal, Behm Narrows, Clarence Strait, Nichols Passage, and Revillagigedo Channel, and include all the area of Revillagigedo, Gravina, Pennock, Betton, Grant and other Clover Passage and Naha Bay Islands, Hassler, Gedney, Black, Smeaton,

Manzanita, Rudyerd, and Bold Islands, and all other offshore and adjacent islands and inlets thereto (see figure 2 to this subpart E).

(ii) The City and Borough of Juneau (see figure 3 to this subpart E).

(iii) The Greater Anchorage Area Borough (see figures 4 and 5 to this subpart E).

(iv) The Matanuska-Susitna Borough (see figure 5 to this subpart E).

(v) The Kenai Peninsula Borough excluding the area of the Seldovia Census Designated Place, the area south and west of that place, and the area south and west of a line that runs from 59°27.5' N. lat., 151°31.7' W. long. to 59°12.5' N. lat., 151°18.5' W. long (see figure 5 to this subpart E).

(vi) The City of Valdez (see figures 4 and 5 to this subpart E).

(h) *Limitations on subsistence fishing.* Subsistence fishing for halibut may be conducted only by persons who qualify for such fishing pursuant to paragraph (g) of this section and who hold a valid subsistence halibut registration certificate in that person's name issued by NMFS pursuant to paragraph (i) of this section, provided that such fishing is consistent with the following limitations.

(1) Subsistence fishing is limited to setline gear and hand-held gear, including longline, handline, rod and reel, spear, jig and hand-troll gear.

(i) Subsistence fishing gear set or retrieved from a vessel while engaged in subsistence fishing for halibut must not have more than the allowable number of hooks per vessel, or per person registered in accordance with paragraph (i) of this section and aboard the vessel, whichever is less, according to the regulatory area and permit type indicated in the following table:

Regulatory Area	Permit Type	Gear Restrictions
2C--Except Sitka Sound, and Ketchikan and Juneau non-	SHARC	30 hooks per vessel

subsistence marine waters areas		
	Ceremonial Permit	30 hooks per vessel
	Educational Permit	30 hooks per vessel
	Community Harvest Permit	30 hooks per person onboard up to 90 hooks per vessel
2C--Sitka Sound	SHARC	September 1 through May 31: 30 hooks per vessel
		June 1 through August 31: 15 hooks per vessel; no power hauling
	Ceremonial Permit	September 1 through May 31: 30 hooks per vessel
		June 1 through August 31: fishing under Ceremonial Permit not allowed
	Educational Permit	30 hooks per vessel
	Community Harvest Permit	fishing under Community Harvest Permit not allowed
2C--Ketchikan and Juneau non-subsistence marine waters areas	SHARC	general subsistence halibut fishing not allowed
	Ceremonial Permit	30 hooks per vessel
	Educational Permit	30 hooks per vessel
	Community Harvest Permit	fishing under Community Harvest Permit not allowed
3A--Except Chiniak	SHARC	30 hooks per person onboard up to 90 hooks

Bay, and Anchorage-Matsu-Kenai and Valdez non-subsistence marine waters areas		per vessel
	Ceremonial Permit	30 hooks per person onboard up to 90 hooks per vessel
	Educational Permit	30 hooks per person onboard up to 90 hooks per vessel
	Community Harvest Permit	30 hooks per person onboard up to 90 hooks per vessel
3A--Chiniak Bay	SHARC	30 hooks per person onboard up to 60 hooks per vessel
	Ceremonial Permit	30 hooks per person onboard up to 90 hooks per vessel
	Educational Permit	30 hooks per person onboard up to 90 hooks per vessel
	Community Harvest Permit	30 hooks per person onboard up to 90 hooks per vessel
3A--Anchorage-Matsu-Kenai and Valdez non-subsistence marine waters areas	SHARC	general subsistence halibut fishing not allowed
	Ceremonial Permit	30 hooks per person onboard up to 90 hooks per vessel
	Educational Permit	30 hooks per person onboard up to 90 hooks per vessel
	Community	fishing under

	Harvest Permit	Community Harvest Permit not allowed
3B	SHARC	30 hooks per person onboard up to 90 hooks per vessel
4A and 4B	SHARC	30 hooks per person onboard up to 90 hooks per vessel
4C, 4D, and 4E	SHARC	no hook limit

(ii) All setline gear marker buoys carried on board or used by any vessel regulated under this section shall be marked with the following: first initial, last name, and address (street, city, and state), followed by the letter "S" to indicate that it is used to harvest subsistence halibut.

(iii) Markings on setline marker buoys shall 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 shall be maintained so the markings are clearly visible.

(2) The retention of subsistence halibut is limited per person eligible to conduct subsistence fishing for halibut and onboard the vessel according to the following table:

Regulatory Area	Permit Type	Retention Limits
2C--Except Sitka Sound, and Ketchikan and Juneau non-subsistence marine waters areas	SHARC	20 halibut per day per vessel and in possession
	Ceremonial Permit	25 halibut per permit
	Educational Permit	25 halibut per permit
	Community Harvest Permit	no daily or possession limit
2C--Sitka Sound	SHARC	September 1 through May 31: 10 halibut per day per vessel and in

		possession
		June 1 through August 31: 5 halibut per day per vessel and in possession
	Ceremonial Permit	September 1 through May 31: 25 halibut per permit
		June 1 through August 31: fishing under Ceremonial Permit not allowed
	Educational Permit	25 halibut per permit
	Community Harvest Permit	fishing under Community Harvest Permit not allowed
2C--Ketchikan and Juneau non-subsistence marine waters areas	SHARC	general subsistence halibut fishing not allowed
	Ceremonial Permit	25 halibut per permit
	Educational Permit	25 halibut per permit
	Community Harvest Permit	fishing under Community Harvest Permit not allowed
3A--Including Chiniak Bay, but excluding Anchorage-Matsu-Kenai and Valdez non-subsistence marine waters areas	SHARC	20 halibut per person per day and in possession
	Ceremonial Permit	25 halibut per permit
	Educational Permit	25 halibut per permit
	Community Harvest Permit	no daily or possession limit
3A--Anchorage-	SHARC	general subsistence

Matsu-Kenai and Valdez non-subsistence marine waters areas		halibut fishing not allowed
	Ceremonial Permit	25 halibut per permit
	Educational Permit	25 halibut per permit
	Community Harvest Permit	fishing under Community Harvest Permit not allowed
3B	SHARC	20 halibut per person per day and in possession
4A and 4B	SHARC	20 halibut per person per day; no possession limit
4C, 4D, and 4E	SHARC	no daily or possession limit

(3) Subsistence fishing may be conducted in any waters in and off Alaska except in the four non-subsistence marine waters areas defined as follows:

(i) *Ketchikan non-subsistence marine waters area in Commission regulatory area 2C* (see Figure 2 to subpart E) is defined as those waters between a line from Caamano Point at 55°29.90' N. lat., 131°58.25' W. long. to Point Higgins at 55°27.42' N. lat., 131°50.00' W. long. and a point at 55°11.78' N. lat., 131°05.13' W. long., located on Point Sykes to a point at 55°12.22' N. lat., 131°05.70' W. long., located one-half mile northwest of Point Sykes to Point Alava at 55°11.54' N. lat., 131°11.00' W. long. and within one mile of the mainland and the Gravina and Revillagigedo Island shorelines, including within one mile of the Cleveland Peninsula shoreline and east of the longitude of Niblack Point at 132°07.23' W. long., and north of the latitude of the southernmost tip of Mary Island at 55°02.66' N. lat.;

(ii) *Juneau non-subsistence marine waters area in Commission regulatory area 2C* (see Figure 3 to subpart E) is defined as those waters of Stephens Passage and contiguous waters north of the latitude of Midway Island Light (57°50.21' N. lat.), including the waters of Taku Inlet, Port Snettisham, Saginaw Channel, and Favorite Channel, and those waters of Lynn Canal and contiguous waters south of the latitude of the northernmost entrance of Berners Bay (58°43.07'

N. lat.), including the waters of Berners Bay and Echo Cove, and those waters of Chatham Strait and contiguous waters north of the latitude of Point Marsden (58°03.42' N. lat.), and east of a line from Point Couverden at 58°11.38' N. lat., 135°03.40' W. long., to Point Augusta at 58°02.38' N. lat., 134°57.11' W. long.;

(iii) *The Anchorage-Matsu-Kenai non-subsistence marine waters area in Commission Regulatory Area 3A* (see figures 4, 5, 6, and 7 to this subpart E) is defined as:

(A) All waters of Cook Inlet north of a line extending from the westernmost point of Hesketh Island at 59°30.40' N. lat., except those waters within mean lower low tide from a point one mile south of the southern edge of the Chuitna River (61°05.00' N. lat., 151°01.00' W. long.) south to the easternmost tip of Granite Point (61°01.00' N. lat., 151°23.00' W. long.) (Tyonek subdistrict); and

(B) All waters of Alaska south of 59°30.40' N. lat. on the western shore of Cook Inlet to Cape Douglas (58°51.10' N. lat.) and in the east to Cape Fairfield (148°50.25' W. long.), except those waters of Alaska west of a line from the easternmost point of Jakolof Bay (151°31.90' W. long.), and following the shore to a line extending south from the easternmost point of Rocky Bay (151°18.41' W. long.); and

(iv) *Valdez non-subsistence marine waters area in Commission regulatory area 3A* (see figures 4 and 5 to this subpart E) is defined as the waters of Port Valdez and Valdez Arm located north of 61°01.38' N. lat., and east of 146°43.80' W. long.

(4) Waters in and off Alaska that are not specifically identified as non-subsistence marine waters areas in paragraph (h)(3) of this section are rural for purposes of subsistence fishing for halibut. Subsistence fishing may be conducted in any rural area by any person with a valid subsistence halibut registration certificate in his or her name issued by NMFS under paragraph (i) of this section, except that:

(i) A person who is not a rural resident but who is a member of an Alaska Native tribe that is located in a rural area and that is listed in the table in paragraph (g)(2) of this section is limited to conducting subsistence fishing for halibut only in his or her area of tribal membership.

(ii) A person who is a resident outside the State of Alaska but who is a member of an Alaska Native tribe that is located in a rural area and that is listed in the table in paragraph (g)(2) of this section is limited to conducting subsistence fishing for halibut only in his or her area of tribal membership.

(iii) For purposes of this paragraph (h)(4), “area of tribal membership” means rural areas of the Commission regulatory area under which the Organized Tribal Entity is listed in the tables set out in paragraph (g)(2) of this section, or the Bering Sea closed area adjacent to the rural area in which the Alaska Native tribal headquarters is located.

(i) *Subsistence registration.* A person must register as a subsistence halibut fisher and possess a valid subsistence halibut registration certificate in his or her name issued by NMFS before he or she begins subsistence fishing for halibut in waters in and off Alaska.

(1) A subsistence halibut registration certificate will be issued to any person who registers according to paragraph (i)(2) of this section and who is qualified to conduct subsistence fishing for halibut according to paragraph (g) of this section. The Alaska Region, NMFS, may enter into cooperative agreements with Alaska Native tribal governments or their representative organizations for purposes of identifying persons qualified to conduct subsistence fishing for halibut according to paragraph (g) of this section.

(2) *Registration.* To register as a subsistence halibut fisherman, a person may request a cooperating Alaska Native tribal government or other entity designated by NMFS to submit an application on his or her behalf to the Alaska Region, NMFS. Alternatively, a person may apply by submitting a completed application to the Alaska Region, NMFS. Application forms are available on the NMFS Alaska Region Web site at <http://alaskafisheries.noaa.gov>, or by contacting NMFS at 800–304–4846, Option 2. NMFS will process a SHARC Application for an Alaska Native Tribal Member or a SHARC Application for a Rural Resident provided that an application is completed, with all applicable fields accurately filled-in, and all required additional documentation is submitted. Initial applications for a SHARC must be signed and mailed or faxed to NMFS (see instructions on form). Renewals may be submitted electronically, mailed, or faxed.

(i) *Non-electronic submittal.* The applicant must sign and date the application certifying that all information is true, correct, and complete. The applicant must

submit the paper application as indicated on the application.

(ii) *Electronic submittal.* An individual can submit a SHARC renewal on-line using an application available at the Alaska Region website. By using the SHARC number and date of birth, and by submitting the application form, the applicant certifies that all information is true, correct, and complete.

(3) *Expiration of registration.* Each subsistence halibut registration certificate will be valid only for the period of time specified on the certificate. A person eligible to harvest subsistence halibut under paragraph (g) of this section may renew his or her registration certificate that is expired or will expire within 3 months by following the procedures described in paragraph (i)(2) of this section. A subsistence halibut registration certificate will expire:

(i) 2 years from the date of its issuance to a person eligible to harvest subsistence halibut under paragraph (g)(1) of this section, and

(ii) 4 years from the date of its issuance to a person eligible to harvest subsistence halibut under paragraph (g)(2) of this section.

(j) *Community Harvest Permit (CHP).* An Area 2C or Area 3A community or Alaska Native tribe listed in paragraphs (g)(1) or (g)(2) of this section may apply for a CHP, which allows a community or Alaska Native tribe to appoint one or more individuals from its respective community or Alaska Native tribe to harvest subsistence halibut from a single vessel under reduced gear and harvest restrictions. The CHP consists of a harvest log and up to five laminated permit cards. A CHP is a permit subject to regulation under §679.4(a) of this title.

(1) *Qualifications.* (i) NMFS may issue a CHP to any community or Alaska Native tribe that applies according to paragraph (j)(2) of this section and that is qualified to conduct subsistence fishing for halibut according to paragraph (g) of this section.

(ii) NMFS will issue a CHP to a community in Area 2C or Area 3A only if:

(A) The applying community is listed as eligible in Area 2C or Area 3A according to paragraph (g)(1) of this section; and

(B) No Alaska Native tribe listed in paragraph (g)(2) of this section exists in that community.

(iii) NMFS will issue a CHP to an Alaska Native tribe in Area 2C or Area 3A only if the applying tribe is listed as eligible in Area 2C or Area 3A according to paragraph (g)(2) of this section.

(iv) Eligible communities or Alaska Native tribes may appoint only one CHP Coordinator per community or tribe.

(2) *Application.* A community or Alaska Native tribe may apply for a CHP by submitting an application to the Alaska Region, NMFS. Applications must be mailed to: Restricted Access Management Program, NMFS, Alaska Region, P.O. Box 21668, Juneau, AK 99802-1668. A complete application must include:

(i) The name of the community or Alaska Native tribe requesting the CHP;

(ii) The full name of the person who is designated as the CHP Coordinator for each community or Alaska Native tribe, the designated CHP Coordinator's mailing address (number and street, city, state, and zip code), community of residence (the rural community or residence from paragraph (g)(1) of this section) or the Alaska Native tribe if applicable (as indicated in paragraph (g)(2) of this section), and the daytime telephone number; and

(iii) Any previously issued CHP harvest logs.

(3) *Restrictions.* Subsistence fishing for halibut under a CHP shall be valid only:

(i) In Area 2C or Area 3A, except that a CHP may not be used:

(A) Within Sitka Sound as defined in paragraph (e)(1)(ii) of this section (see Figure 1 to this subpart E); or

(B) Within the Ketchikan, Juneau, Anchorage-Matsu-Kenai, and Valdez non-subsistence marine waters areas as defined in paragraph (h)(3) of this section (see figures 2, 3, 4, 5, 6, and 7 to this subpart E).

(ii) To persons in possession of a valid subsistence halibut registration certificate issued in accordance with paragraph (i) of this section for the same community or Alaska Native tribe listed on the CHP;

(iii) On a single vessel on which a CHP card is present; and

(iv) If subsistence fishing gear set or retrieved from a vessel on which the CHP card is present does not exceed the restrictions of paragraph (h) of this section.

(4) *Expiration of permit.* Each CHP will be valid only for the period of time specified on the permit. A CHP will expire one year from the date of issuance to a community or Alaska Native tribe eligible to harvest halibut under paragraph (g) of this section. A community or Alaska Native tribe eligible to harvest subsistence halibut under paragraph (g) of this section may renew its CHP that is expired or will expire within three months by following the procedures described in paragraph (j)(2) of this section.

(5) *Duties of the CHP coordinator.* Each CHP Coordinator must ensure:

(i) The designated harvesters who may fish under the CHP are identified on the Community Harvest Permit harvest log when the CHP is issued to the designated harvesters;

(ii) The CHP remains in the possession of the CHP Coordinator or other tribal or government authority when not in use and is issued to the designated harvesters when necessary; and

(iii) All required recordkeeping and data reporting of subsistence harvests under the CHP are performed.

(6) *Harvest log submission.* Each Community Harvest Permit harvest log must be submitted to NMFS on or before the date of expiration by facsimile or mail. Harvest logs must be mailed to RAM at the address given in paragraph (j)(2) of this section or faxed to 907-586-7354. The log must provide information on:

(i) The subsistence fisher's identity including his or her full name, subsistence halibut registration certificate number, date of birth, mailing address (number and street, city, state, and zip code), community of residence, daytime phone number, and tribal identity (if appropriate); and

(ii) The subsistence halibut harvest including whether the participant fished for subsistence halibut during the period specified on the permit, and if so, the date harvest occurred, the number and weight (in pounds) of halibut harvested, the type of gear and number of hooks used, the Commission regulatory area and local

water body from which the halibut were harvested, and the number of lingcod and rockfish caught while subsistence fishing for halibut.

(k) *Ceremonial Permit or Educational Permit.* An Area 2C or Area 3A Alaska Native tribe that is listed in paragraph (g)(2) of this section may apply for a Ceremonial or Educational Permit, allowing the tribe to harvest up to 25 halibut per permit issued. The Ceremonial and Educational Permits each consist of a harvest log and a single laminated permit card. Ceremonial and Educational Permits are permits subject to regulation under §679.4(a) of this title.

(1) *Qualifications.* (i) NMFS may issue a Ceremonial or Educational Permit to any Alaska Native tribe that completes an application according to paragraph (k)(2) of this section and that is qualified to conduct subsistence fishing for halibut according to paragraph (g)(2) of this section.

(ii) Eligible Alaska Native tribes may appoint only one Ceremonial Permit Coordinator per tribe.

(iii) Eligible educational programs may appoint only one authorized Instructor per Educational Permit.

(2) *Application.* An Alaska Native tribe may apply for a Ceremonial or Educational Permit by submitting an application to the Alaska Region, NMFS. Applications must be mailed to: Restricted Access Management Program, NMFS, Alaska Region, P.O. Box 21668, Juneau, AK 99802-1668.

(i) A complete application must include:

(A) The name of the Alaska Native tribe requesting the Ceremonial or Educational Permit;

(B) The name of the person designated as the Ceremonial Permit Coordinator for each Alaska Native tribe or the name of the person designated as the Instructor for an Educational Permit, the Ceremonial Permit Coordinator or Instructor's mailing address (number and street, city, state, and zip code), and the daytime telephone number;

(C) Any previously issued Ceremonial Permit harvest logs from any expired Ceremonial Permit if applying for a Ceremonial Permit; and

(D) Any previously issued Educational Permit harvest logs from any expired Educational Permit if applying for an Educational Permit.

(ii) NMFS will issue a Ceremonial Permit for the harvest of halibut associated with traditional cultural events only if the application:

(A) Indicates the occasion of cultural or ceremonial significance; and

(B) Identifies the person designated by the eligible Alaska Native tribe as the Ceremonial Permit Coordinator.

(iii) NMFS will issue an Educational Permit only if the application:

(A) Includes the name and address of the educational institution or organization;

(B) Includes the instructor's name;

(C) Demonstrates the enrollment of qualified students;

(D) Describes minimum attendance requirements of the educational program; and

(E) Describes standards for the successful completion of the educational program.

(3) *Restrictions.* Subsistence fishing for halibut under Ceremonial or Educational Permits shall be valid only:

(i) In Area 3A, except:

(A) In the Anchorage-Matsu-Kenai non-subsistence marine waters area defined in paragraph (h)(3) of this section (see figures 4, 5, 6, and 7 to this subpart E), only the following tribes may use a Ceremonial or Educational permit:

(1) Kenaitze Indian Tribe;

(2) Seldovia Village Tribe;

(3) Ninilchik Village;

(4) Native Village of Port Graham;

(5) Native Village of Nanwalek; and

(6) Village of Salamatoff.

(B) In the Valdez non-subsistence marine waters area defined in paragraph (h)(3) of this section (see figures

4 and 5 to this subpart E), only the Native Village of Tatitlek may use a Ceremonial or Educational permit.

(ii) In Area 2C, except:

(A) In the Ketchikan non-subsistence marine waters area defined in paragraph (h)(3) of this section (see figure 2 to this subpart E), only the following tribes may use a Ceremonial or Educational permit:

(1) Central Council of Tlingit/Haida Indians;

(2) Ketchikan Indian Corporation; and

(3) Organized Village of Saxman;

(B) In the Juneau non-subsistence marine waters area defined in paragraph (h)(3) of this section (see figure 3 to this subpart E), only the following tribes may use a Ceremonial or Educational permit:

(1) Central Council of Tlingit/Haida Indians;

(2) Douglas Indian Association; and

(3) Aukquan Traditional Council.

(C) A Ceremonial Permit may not be used within Sitka Sound from June 1 through August 31;

(iii) On a single vessel on which the Ceremonial or Educational Permit card is present;

(iv) On the vessel on which the instructor is present for Educational Permits;

(v) To persons in possession of a valid subsistence halibut registration certificate issued in accordance with paragraph (i) of this section for the same Alaska Native tribe listed on the Ceremonial or Educational Permit, except that students enrolled in an educational program may fish under an Educational Permit without a subsistence halibut registration certificate; and

(vi) If subsistence fishing gear set or retrieved from a vessel on which the Ceremonial or Educational Permit card is present does not exceed the restrictions of paragraph (h) of this section.

(4) *Expiration of permits.* Each Ceremonial or Educational Permit will be valid only for the period of time specified on the permit. Ceremonial and Educational Permits will expire 30 days from the date

of issuance to an Alaska Native tribe eligible to harvest halibut under paragraph (g)(2) of this section. A tribe eligible to harvest subsistence halibut under paragraph (g)(2) of this section may apply for additional Ceremonial or Educational Permits at any time.

(5) *Duties of Ceremonial Permit Coordinators and Instructors.* Each Ceremonial Permit Coordinator or Instructor must ensure:

(i) The designated harvesters or students who may fish under the Ceremonial or Educational Permit are identified on the Ceremonial/Educational Permit harvest log when the permit is used;

(ii) The Ceremonial Permit remains in the possession of the Ceremonial Permit Coordinator or other tribal authority when not in use and is issued to designated harvesters when necessary; and

(iii) All required recordkeeping and data reporting of subsistence harvests under the Ceremonial or Educational Permit are performed.

(6) *Harvest log submission.* Submission of a Ceremonial or Educational Permit log shall be required upon the expiration of each permit and must be received by Restricted Access Management within 15 days of the expiration by facsimile or mail. Harvest logs must be mailed to RAM at the address given in paragraph (k)(2) of this section or faxed to 907-586-7354. The log must provide information on:

(i) The subsistence fisher's identity including his or her full name, subsistence halibut registration certificate number if applicable (students do not need a SHARC), date of birth, mailing address (number and street, city, state, and zip code), community of residence, daytime phone number, and tribal identity;

(ii) The subsistence halibut harvest including whether the participant fished for subsistence halibut during the period indicated on the permit, and if so, the date when harvest occurred, the number and weight (in pounds) of halibut harvested, the type of gear and number of hooks used, the Commission regulatory area and local water body from which the halibut were harvested, and the number of lingcod and rockfish caught while subsistence fishing for halibut.

(l) *Appeals.* If Restricted Access Management (RAM) determines that an application is deficient, it will prepare and send an Initial Administrative Determination (IAD) to the applicant. The IAD will

indicate the deficiencies in the application or any additional provided information. An applicant who receives an IAD may appeal RAM's findings pursuant to §679.43 of this title.

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[Laws in effect as of January 3, 2005]
[Document not affected by Public Laws enacted between
January 3, 2005 and June 19, 2006]
[CITE: 16USC773c]

TITLE 16--CONSERVATION

CHAPTER 10--NORTHERN PACIFIC HALIBUT FISHING

SUBCHAPTER IV--NORTHERN PACIFIC HALIBUT ACT OF 1982

Sec. 773c. General responsibility

(a) Secretary of Commerce

The Secretary shall have general responsibility to carry out the Convention and this subchapter.

(b) Adoption of regulations; cooperation with Canadian officials

In fulfilling this responsibility, the Secretary--

(1) shall, in consultation with the Secretary of the department in which the Coast Guard is operating, adopt such regulations as may be necessary to carry out the purposes and objectives of the Convention and this subchapter; and

(2) may, with the concurrence of the Secretary of State, cooperate with the duly authorized officials of the Government of Canada.

(c) Regional Fishery Management Council involvement

The Regional Fishery Management Council having authority for the geographic area concerned may develop regulations governing the United States portion of Convention waters, including limited access regulations, applicable to nationals or vessels of the United States, or both, which are in addition to, and not in conflict with regulations adopted by the Commission. Such regulations shall only be implemented with the approval of the Secretary, shall not discriminate between residents of different States, and shall be consistent with the limited entry criteria set forth in section 1853(b)(6) of this title. If it becomes necessary to allocate or assign halibut fishing privileges among various United States fishermen, such allocation shall be fair and

equitable to all such fishermen, based upon the rights and obligations in existing Federal law, reasonably calculated to promote conservation, and carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of the halibut fishing privileges: Provided, That the Regional Council may provide for the rural coastal villages of Alaska the opportunity to establish a commercial halibut fishery in areas in the Bering Sea to the north of 56 degrees north latitude during a 3 year development period.

(Pub. L. 97-176, Sec. 5, May 17, 1982, 96 Stat. 79; Pub. L. 104-208, div. A, title I, Sec. 101(a) [title II, Sec. 211(b)], Sept. 30, 1996, 110 Stat. 3009, 3009-41.)

Amendments

1996--Subsec. (c). Pub. L. 104-208 made technical amendment to reference in original act which appears in text as reference to section 1853(b)(6) of this title.

Effective Date of 1996 Amendment

Section 101(a) [title II, Sec. 211(b)] of div. A of Pub. L. 104-208 provided that the amendment made by that section is effective 15 days after Oct. 11, 1996.

Transfer of Functions

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

with 19 CFR 351.224(b). Any interested party may request a hearing within 30 days of the publication of this notice in the **Federal Register**. See 19 CFR 351.310. If a hearing is requested, the Department will notify interested parties of the hearing schedule.

Interested parties are invited to comment on the preliminary results of this review. Unless extended by the Department, interested parties must submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, must be filed not later than five days after the time limit for filing case briefs. See 19 CFR 351.309(c) and (d) (for a further discussion of case briefs and rebuttal briefs, respectively). Parties who submit case briefs or rebuttal briefs in this review are requested to submit with each argument: (1) A statement of the issue, (2) a brief summary of the argument, and (3) a table of authorities. Executive summaries should be limited to five pages total, including footnotes.

We intend to issue the final results of this administrative review, including the results of our analysis of issues raised in the written comments, within 120 days of publication of these preliminary results in the **Federal Register**, unless otherwise extended. See section 751(a)(3)(A) of the Act.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

These preliminary results of administrative review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: December 7, 2010.

Paul Piquado,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. 2010-31771 Filed 12-16-10; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Special Subsistence Permits and Harvest Logs for Pacific Halibut in Waters Off Alaska

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before February 15, 2011.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instruments and instructions should be directed to Patsy A. Bearden, (907) 586-7008 or Patsy.Bearden@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for renewal of a currently approved information collection.

This collection-of-information describes special permits issued to participants in the Pacific halibut subsistence fishery in waters off the coast of Alaska and any appeals resulting from denials. The National Marine Fisheries Service (NMFS) designed the permits to work in conjunction with other halibut harvest assessment measures. Subsistence fishing for halibut has occurred for many years among the Alaska Native people and non-Native people. Special permits in this collection-of-information are initiated in response to the concerns of Native and community groups regarding increased restrictions in International Pacific Halibut Commission Area 2C and include Community Harvest Permits, Ceremonial Permits, and Educational Permits.

A Community Harvest Permit allows the community or Alaska Native tribe to

appoint one or more individuals from its respective community or tribe to harvest subsistence halibut from a single vessel under reduced gear and harvest restrictions. Ceremonial and Educational Permits are available exclusively to Alaska Native tribes. Eligible Alaska Native tribes may appoint only one Ceremonial Permit Coordinator per tribe for Ceremonial Permits or one authorized Instructor per tribe for Educational Permits.

Except for enrolled students fishing under a valid Educational Permit, special permits require persons fishing under them to also possess a Subsistence Halibut Registration Certificate (SHARC) (see OMB Control No. 0648-0460) which identifies those persons who are currently eligible for subsistence halibut fishing. Each of the instruments is designed to minimize the reporting burden on subsistence halibut fishermen while retrieving essential information.

II. Method of Collection

Respondents have a choice of either electronic or paper forms. Methods of submittal include online, e-mail of electronic forms, mail, and facsimile transmission of paper forms. Educational Permits may not be applied for online.

III. Data

OMB Control Number: 0648-0512.

Form Number: None.

Type of Review: Regular submission (renewal of a currently approved collection).

Affected Public: Individuals or households; State, local, or tribal government.

Estimated Number of Respondents: 415.

Estimated Time per Response: Permit applications, 10 minutes; Community harvest log, 30 minutes; Ceremonial or educational harvest log, 30 minutes; Appeal for permit denial, 4 hours.

Estimated Total Annual Burden Hours: 325.

Estimated Total Annual Cost to Public: \$529 in recordkeeping/reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be

collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: December 13, 2010.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2010-31658 Filed 12-16-10; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[File No. 10022]

RIN 0648-XA086

Endangered Species

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; receipt of application for permit modification.

SUMMARY: Notice is hereby given that Raymond Carthy, University of Florida, Florida Cooperative Fish and Wildlife Research Unit, 117 Newins-Ziegler Hall, P.O. Box 110450, Gainesville, FL 32611, has requested a modification to scientific research Permit No. 10022-01.

DATES: Written, telefaxed, or e-mail comments must be received on or before January 18, 2011.

ADDRESSES: The application and related documents are available for review by selecting "Records Open for Public Comment" from the *Features* box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 10022-02 from the list of available applications.

These documents are also available upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 713-0376; and Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, FL 33701; phone (727) 824-5312; fax (727) 824-5309.

Written comments on this application should be submitted to the Chief, Permits, Conservation and Education Division, at the above address. Comments may also be submitted by facsimile to (301) 713-0376, or by e-mail to NMFS.Pr1Comments@noaa.gov. Please include the File No. in the subject line of the e-mail comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits, Conservation and Education Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT:

Colette Cairns or Amy Hapeman, (301) 713-2289.

SUPPLEMENTARY INFORMATION: The subject modification to Permit No. 10022-01 is requested under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

Permit 10022-01, issued on May 12, 2010 (75 FR 26715) authorizes the permit holder to conduct research off the northwest coast of Florida. Researchers may capture loggerhead (*Caretta caretta*), green (*Chelonia mydas*), and Kemp's ridley (*Lepidochelys kempii*) sea turtles by strike-net or set-net. Animals may be weighed, measured, photographed, skin biopsied, flipper and passive integrated transponder (PIT) tagged, and released. Researchers also are authorized to perform a subset of activities on sea turtles legally captured by relocation trawlers. A subset of sea turtles may have transmitters attached to assess habitat use and study whether relocation distances for sea turtles captured by relocation trawlers are appropriate.

Dr. Carthy requests a modification to the permit to: (1) Increase the number of sea turtles (up to 50 loggerheads, 350 greens, and 200 Kemp's ridleys) that may be taken annually; (2) authorize satellite tagging for captured loggerhead and Kemp's ridleys; and (3) authorize three additional research activities (epibiota removal, blood sampling, and carapace swabbing) for up to 30 captured animals of each species annually. A subset of the green sea turtles will also be captured by hand/dip net, flipper and PIT tagged, measured, weighed, photographed, and temporarily carapace marked. This work would assess changes in sea turtle abundance, physical characteristics, and habitat use in the area relative to

historical data and assess potential impacts of Mississippi Canyon 252 oil to sea turtles for the Natural Resources Damage Assessment. The modification would be valid until the permit expires on April 30, 2013.

Dated: December 13, 2010.

Tammy C. Adams,

Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2010-31754 Filed 12-16-10; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[File No. 15614]

RIN 0648-XA087

Endangered Species

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Tom Savoy, Connecticut Department of Environmental Protection, Marine Fisheries Division, P.O. Box 719, Old Lyme, CT 06371, has applied in due form for a permit to take shortnose sturgeon for purposes of scientific research.

DATES: Written, telefaxed, or e-mail comments must be received on or before January 18, 2011.

ADDRESSES: The application and related documents are available for review by selecting "Records Open for Public Comment" from the *Features* box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 15614 from the list of available applications.

These documents are also available upon written request or by appointment in the following offices: Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 713-0376; and Northeast Region, NMFS, 55 Great Republic Drive, Gloucester, MA 01930; phone (978) 281-9328; fax (978) 281-9394.

Written comments on this application should be submitted to the Chief, Permits, Conservation and Education Division, at the address listed above. Comments may also be submitted by