

Supporting Statement for Paperwork Reduction Act Submission OMB Control Number 1018-0075

Federal Subsistence Regulations and Associated Forms 50 CFR 100

FWS Forms 3-2326, 3-2327, and 3-2328

TERMS OF CLEARANCE: Upon the FWS next submission, the FWS shall describe efforts to consult with persons outside the agency to obtain their views on the clarity of instructions and recordkeeping, disclosure, or reporting format, and on the data elements to be recorded, disclosed, or reported.

We contacted several persons (see item 8) who completed application forms during the 2005 regulations cycle. We asked their views regarding this information collection, including: (1) how long does it take to complete the applications and if our estimates of burden hours are correct, (2) suggestions/comments on how to make the forms easier to understand, (3) if the forms are necessary to assist the Federal Subsistence Board and (4) any suggestions on how to enhance the quality, utility and to clarify the information collected. All who responded believed that our burden estimates are correct and instructions are clear.

A. Justification

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

The Alaska Interest Lands Conservation Act (ANILCA) and Service regulations at 50 CFR 100 require that persons engaged in taking fish and wildlife on public lands in Alaska apply for and obtain a permit to do so and comply with reporting provisions of that permit. Our regulations at 50 CFR 100.6 require that persons engaged in taking fish and wildlife for subsistence use comply with reporting provisions of the Federal Subsistence Board. When the taking of fish and wildlife is in accordance with 50 CFR 100.6, the harvest activity must be reported in accordance with regulations specified for that community in subpart D and as required by any applicable permit conditions. Failure to comply with these conditions is a violation of the regulations. We need this information to evaluate subsistence harvest success; the effectiveness of season lengths, harvest quotas, and harvest restrictions; hunting patterns and practices; and hunter use. Once harvest success information is evaluated, the Federal Subsistence Board uses this information, along with other information, to set future seasons and bag limits for Federal subsistence resource users. These seasons and bag limits are set in order to meet needs of subsistence hunters without adversely impacting the health of existing animal populations.

In addition, 50 CFR 100.20 sets forth procedures for persons who wish to appeal a decision made by the Federal Subsistence Board. The information required of persons requesting an appeal allows us to have all of the information we need to adequately reconsider the decision.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]

Subsistence Harvest - We use three forms to collect information from qualified rural residents for subsistence harvest. The information that we collect through the applications and returned reports is the

basis of the Federal Subsistence Board's recommendations on the future of current hunting and fishing opening and the establishment of future hunts or fisheries.

(1) FWS Form 3-2326, Federal Subsistence Hunt Application, Permit, and Report (supersedes Forms 7-FS 1). Applicants are allowed to participate in special hunts that are not available to the general public but are provided for by Title VIII of ANILCA. The application requires information necessary to identify the applicant; e.g., name, date of birth, address, telephone number, and Alaska hunting license number. The application also requires information necessary to identify the applicant's primary community to ensure that qualified communities are receiving adequate opportunities. The hunter carries the permit into the field to prove to law enforcement officials that he/she is eligible to harvest wildlife and to use for recording the harvest while in the field. The permittee reports information on hunting efforts; e.g. time hunted, method of transportation, and hunt area, as well as whether or not he/she was successful in attempts to harvest game.

(2) FWS Form 3-2327, Designated Hunter Permit Application, Permit, and Report (supersedes Forms 7-FS 2). Applicants are allowed to harvest wildlife for other qualified subsistence users who have a Federal Subsistence Hunt Permit (FWS Form 3-2326). The application requires information necessary to identify the applicant; e.g., name, date of birth, address, telephone number, and Alaska hunting license number. The hunter carries the permit into the field to prove to law enforcement officials that he/she is eligible to harvest wildlife. The permit contains the name and the permit number of the person that the hunter is hunting for. The hunter uses the permit to record harvest for other qualified subsistence users. The report contains information on the efforts of the permittee; e.g. other users that they hunted for, method of transportation, hunt area, and the number(s) of wildlife harvested if they were successful in their attempts to harvest game.

(3) FWS Form 3-2328, Federal Subsistence Fishing Application, Permit, and Report (supersedes Forms 7-FS 3). Applicants are allowed to participate in special fisheries that are not available to the general public but are provided for by Title VIII of ANILCA. The application requires information necessary to identify the applicant; e.g., name, date of birth, address, telephone number, and Alaska fishing license number. The fisher carries the permit into the field to prove to law enforcement officials that he/she is eligible to be harvest fish and to use for recording harvest. The permittee provides information on fishing efforts; e.g. amount of time fished, types of fish harvested, and fishing area, as well as whether or not the fisher was successful in attempts to harvest fish.

Appeals - Any aggrieved person may file a request for reconsideration of Federal Subsistence Board decisions. The regulations at 50 CFR 100.20 outline the procedures for appeal and the information that must be submitted, including: (1) name and mailing address; (2) action being appealed; (3) detailed statement of how the appellant is adversely affected by the action; (4) a detailed statement of the facts of the dispute, the issues raised by the request, and specific references to any law, regulation, or policy believed to be violated, and the reason for such belief; and (5) a statement of how the action should be changed. We use this information to evaluate reconsiderations of Federal Subsistence Board decisions.

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

These permits do not lend themselves to placement on the Internet or electronic submission. The permits are available to qualified rural residents at the offices of the Federal land managers' offices in the area that the hunting and/or fishing efforts are to be performed. The issuance of permits requires the proof of eligibility by the qualified subsistence users. Much of the improved information collection and reporting technology that is commonplace in the contiguous 48 States does not exist in coastal Alaska due to the remoteness of villages, marked differences in lifestyles, and social and economic conditions in these villages. The requested information is unique to each individual Alaska Native hunter, and no other sources are available. The information changes with each location and each animal killed and/or fished. After completion, the hunter mails the report to the Office of Subsistence Management. The report has postage paid (business reply mail) in order not to cause any financial hardship on the permittees.

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

The information that we collect is not collected elsewhere by the Service or other Federal agencies.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

The collection of this information will not impact small businesses or other small entities.

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

Subsistence hunting seasons and their associated bag limits, and subsistence fishing seasons are set annually. If we were to discontinue this information collection or if the information were collected less frequently, we would not have the data we need to set subsistence hunting or fishing seasons to respond to the needs of Federal subsistence users while ensuring maintenance of healthy animal populations. In addition, if we did not collect information relative to appeals, we would not have the information necessary to make an informed decision.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * requiring respondents to report information to the agency more often than quarterly;
- * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- * in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- * requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

No special circumstances exist that would require our collection to be conducted in a manner inconsistent with OMB guidelines.

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

Describe 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. [Please list the names, titles, addresses, and phone numbers of persons contacted.]

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The following completed application forms during the 2005 regulations cycle. We asked each person to provide their views regarding this information collection, including: (1) how long does it take to complete the applications and if our estimates of burden hours are correct, (2) suggestions/comments on how to make the forms easier to understand, (3) if the forms are necessary to assist the Federal Subsistence Board and (4) any suggestions on how to enhance the quality, utility and to clarify the information collected. All who responded believed that our burden estimates are correct and instructions are clear.

Heath Emmons, POB 724, Glennallen, AK 99588, 907-822-5085
Cory Larson, POB 111, Gakona, AK, 907-822-3024
Mike Sanderguard, POB 182, Glennallen, AK 99588, 907-822-3957
Marcia Butorec, POB 147, Glennallen, AK 99588, 907-822-3217
John Jaugada, POB 527, Glennallen, AK 99588, 907-822-3776
D. Hamby, POB 295, Glennallen, AK 99588, 907-822-5752

On March 2, 2006, we published in the Federal Register (71 FR 10698) a 60-day notice of our intent to request renewal of information collection authority from OMB. In that notice, we solicited public comments for 60 days, ending on May 1, 2006. We received one comment. The commenter did not address the necessity, clarity, or accuracy of the information collection, but instead provided general comments on the low levels of law enforcement and the humane treatment of fish and wildlife. We did not make any changes to our information collection based on this comment.

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

Not applicable. We do not provide gifts or payments to respondents.

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

The following is included on application forms: "In accordance with the Privacy Act (5 U.S.C. 552a) and the Paperwork Reduction Act (44 U.S.C. 3501), please note the following information. This information collection is authorized by the Alaska National Interest Lands Conservation Act and regulations

promulgated there under. It is our policy not to use your name for any other purpose. The information that you provide will be used by the Federal Subsistence Board to meet the needs of subsistence users. All names and identifying information will be removed when we compile the results and only summary information will be reported. We will maintain this information in accordance with the Privacy Act, but may release it under a Freedom of Information Act request (5 U.S.C. 552). Your response is voluntary."

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

We do not ask questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

*** Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

*** If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**

*** Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

We receive approximately 5,700 applications and a like number of associated reports annually. In addition, we receive an average of one appeal annually. The table below reflects the average burden hours and costs associated with this information collection. We estimate the average income of Alaska subsistence hunters/fishers to be \$22,660 per year, which would average approximately \$11.00 per hour.

Form/Activity	No. of Respondents	No. Annual Responses	Average Burden per Activity	Total Annual Burden Hours	Annual \$ Value of Burden
FWS Form 3-2326 - Application	5,000	5,000	10 minutes	833.3	\$ 9,166.30
FWS Form 3-2326 - Report	5,000	5,000	5 minutes	416.6	\$ 4,582.60
FWS Form 3-2327 - Application	450	450	10 minutes	75	\$ 825.00
FWS Form 3-2327 - Permit	450	450	5 minutes	37.5	\$ 412.50
FWS Form 3-2327 - Report	450	450	5 minutes	37.5	\$ 412.50
FWS Form 3-2328 - Application	250	250	10 minutes	41.6	\$ 457.60
FWS Form 3-2328 - Report	250	250	20 minutes	83.3	\$ 916.30
Appeals (nonform)	1	1	4 hours	4	\$ 44.00
TOTAL	5,701	11,851		1528.8	\$16,816.80

13. Provide an estimate of the total annual [non-hour] cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

*** The cost estimate should be split into two components: (a) a total capital and start-up cost**

component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [including filing fees paid]. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

* If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

* Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

There is no nonhour cost burden for applicants. There are no fees associated with submitting an application.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

We estimate the annual cost to the Federal Government for the subsistence permit process to be \$37,700. The permit issuance process is an interagency effort involving approximately 30 personnel from four Federal agencies. To obtain this estimate, we multiplied the average time for each task by the estimated average hourly wage of the staff involved in the task.

Task	Hours	Costs
Printing/Distribution		\$ 1,500
Admin.Support	400	4,800
Issuing Personnel	950	20,900
Staff coordinator	300	10,500
Total	1,675	\$37,700

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

Item 13 shows an increase of 275 in the number of respondents. This increase is based on our experience over the last 3 years and a limited expansion of several hunts/fisheries. We are also requesting an increase of 137 in burden hours to the public. The increase in the number of responses (from 5,426 to 11,851) is a correction to our previous estimate. The previous estimate did not account for the separate reporting of the applications and associated harvest reports.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule

for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Other than reporting harvest data to the Federal Subsistence Board, we do not publish the information that we collect.

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

We will display the OMB control number and expiration date.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

This collection does not employ statistical methods.