

PAPERWORK REDUCTION ACT STATEMENT: Information collected through the Alaska Marine Mammal Observer Program will be used to: (1) monitor bycatch in commercial fisheries; (2) understand the population status and trends of protected species, as well as the interactions between them and fisheries; and (3) ensure that the observer programs can safely and efficiently collect the information required for the previous two uses. In particular, the observer program provides information that is used in analyses that support the conservation and management of living marine resources and that are required under the Endangered Species Act (ESA), the Marine Mammal Protection Act (MMPA), the National Environmental Policy Act (NEPA), the Regulatory Flexibility Act (RFA), Executive Order 12866 (EO 12866), and other applicable law. Most of the information collected by observers is obtained through "direct observation by an employee or agent of the sponsoring agency or through non-standardized oral communication in connection with such direct observations". Under the Paperwork Reduction Act (PRA) regulations at 5 C.F.R. 1320.3(h)(3), facts or opinions obtained through such observations and communications are not considered to be "information" subject to the PRA. The public reporting burden for responding to the questions that observers ask and that are subject to the PRA is estimated to average 15 minutes per trip, including the time for hearing and understanding the questions, 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 this burden, to: National Marine Fisheries Service, Protected Resources Division, 709 W 9th Street, PO Box 21668, Juneau, Alaska 99802. Providing the requested information is mandatory under regulations at 50 C.F.R. 600.746 for the safety questions and at 50 C.F.R. Part 229, Subpart A for the other questions. All information collected by observers will be kept confidential as required under Section 402(b) of the Magnuson-Stevens Fishery Conservation and Management Act (18 U.S.C. 1881a(b)) and regulations at 50 C.F.R. Part 600, Subpart E and as required under the Section 118(d)(8) of the MMPA (16 U.S.C. 1387(d)(8)) and regulations at 50 C.F.R. Part 229, Subpart A. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

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