

1 Supporting Statement A for Paperwork Reduction Act Submission

OMB Control Number 1018-0066

Marine Mammal Marking, Tagging, and Reporting Certificates 50 CFR 18.23(f)

Terms of Clearance: None

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

Under section 101(b) of the Marine Mammal Protection Act of 1972, (MMPA) as amended, Alaska Natives residing in Alaska and dwelling on the coast of the North Pacific or Arctic Ocean may harvest polar bear (*Ursus maritimus*), northern sea otter (*Enhydra lutris kenyoni*), and Pacific walrus (*Odobenus rosmarus divergens*) for subsistence or handicraft purposes. Section 109(i) of the MMPA authorizes the Secretary of the Interior (Secretary) to prescribe marking, tagging, and reporting regulations applicable to the Alaska Native subsistence and handicraft take. Acting on behalf of the Secretary, the U.S. Fish and Wildlife Service (we, Service) published regulations at 50 CFR 18.23(f). These regulations require, among other things, that Alaska Natives must report harvested marine mammals to the Service and have them tagged. The collection of this information is integral to the reporting of the harvest.

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

We use the information that we collect from Alaska Natives to operate the Marking, Tagging, and Reporting Program (MTRP). This program improves our decisionmaking ability by substantially expanding the quality and quantity of harvest and biological data upon which we base future management decisions. Further, it provides us the ability to make inferences about the condition and general health of the populations. Without authority to collect this harvest information, our ability to measure the take of polar bears, northern sea otters, and walrus would be inadequate. Harvest information allows us to make rational, knowledgeable decisions regarding the Alaska Native harvest. We use three forms to collect harvest information:

- FWS Form 3-2414 (Polar Bear Tagging Certificates), which replaces form R7-50.
- FWS Form 3-2415 (Walrus Tagging Certificates), which replaces form R7-51.
- FWS Form 3-2416 (Sea Otter Tagging Certificates), which replaces form R7-52.

The information to be collected from Alaska Natives is the same as currently approved with two minor exceptions:

- We added a place on FWS Form 3-2414 to report polar bear condition.
- On FWS Form 3-2416, we eliminated the requirement for sea otter skull measurement

since it is unnecessary for current management purposes.

We collect information on:

- A. Date of kill.** The date of kill provides information on chronology of the harvest that will be used in population modeling and in determining which cohorts are being killed.
- B. Sex of the animal.** This information is used in population modeling, determining the status of populations, and predicting population trends.
- C. Kill Location.** This information yields insights on the distribution and relative abundance of the three species, the level and intensity of the harvest, and the harvest impacts on the species and their subpopulations.
- D. Form of transportation used to make the kill of polar bears (3-2414).** This provides information on the level of use of available transportation methods. Such data are useful in determining trends toward the use of more modern and efficient means of transportation, which may increase the mobility of Alaska Natives and possibly increase the level of harvest.
- E. Amount of time (i.e., hours/days) spent hunting each polar bear (3-2414).** The amount of effort exerted to harvest these animals varies with the availability of animals, individual hunter skills, weather conditions, etc. With other factors being constant, the amount of time necessary to take these species is an indicator of density and/or availability. The use of catch per unit effort is well established as a requirement of effective wildlife management.
- F. Condition of the polar bear and whether or not cubs were present (3-2414).** We use this information (1) as an indicator of polar bear physiological condition across their range based upon five newly standardized condition categories and (2) to supplement basic polar bear production and survival information based upon hunter observations.
- G. Type of take for walrus (LK = live killed, BF = beach found; (3-2415).** This information increases the accuracy of the known mortality and harvest data by discriminating between a walrus killed for subsistence purposes or found dead and salvaged. Requiring all ivory that has been taken or collected (pursuant to the Alaska Native exemption) to be marked, tagged, and reported also simplifies Service enforcement efforts.
- H. Number of otters present in and number of otters harvested from a pod (3-2416).** We use this information as an indicator of both otter density across range and hunter effort.
- I. Name of the hunter or possessor of the specified parts at the time of marking, tagging, and reporting.** The tagging officials located in the individual villages are paid based on the number of animals tagged. The name and signature of the hunter are intended for purposes of internal control, and to reduce the chance of false reporting for the tagging official's economic gain.

We do not place any additional reporting burden on the Alaska Natives. Service personnel or authorized Service representatives will obtain other information on the three reporting forms without input from the Alaska Native hunter.

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.].

The forms are currently available in paper format only. We considered the possibility of using improved information technology to reduce burden on the Alaska Natives, but were unable to identify any such technology at this time. Much of the improved information collection and reporting technology that is commonplace in the contiguous 48 States does not yet reliably exist in coastal Alaska due to the remoteness and the social economic conditions in many of these communities.

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 it is necessary for the individual hunter(s) to provide the required parts of each animal killed and the information associated with those kills. We have attempted to minimize the burden on Alaska Natives by establishing a network of individuals in this program at strategic locations around the State. These individuals are in place to receive reports from Alaska Native hunters so that time necessary for complying with these marking and reporting stipulations is minimized. However, it is necessary for hunters to report in person each individual kill so that Service representatives can (1) attach marks and tags to the marine mammal parts and (2) collect information important for wildlife management purposes from the parts provided (e.g., measurements of polar bear and northern sea otter skulls and walrus tusks).

4. Describe efforts to identify duplication.

No similar real-time information is currently being collected for these species and populations nor are we aware of any similar marking program currently in use.

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

This information collection does 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.

If the collection were not conducted or conducted less frequently, we would lose the ability to census the entire harvest annually and to mark all available specimens for law enforcement purposes. Our capability to scientifically manage polar bear, Pacific walrus, and northern sea otter harvest in Alaska would be seriously compromised. There is no information otherwise available that can be used in place of the information that we currently collect on the reporting forms.

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.**

We ask respondents to report information more often than quarterly. The MTRP is intended to gather reports of all kills and to tag or mark, as appropriate, all skins, skulls, and tusks of marine mammals to reduce illegal trade in walrus ivory and polar bear and northern sea otter skins. We use the data from the reports for management of polar bears, northern sea otters, and walrus. If these reports were submitted quarterly rather than as now required (i.e., within 30 days of take), the accuracy of the data would be seriously compromised, thereby reducing our ability to make sound management decisions. Increased illegal traffic of marine mammal parts could ensue. There are no other circumstances that require us to collect information in a manner inconsistent with OMB guidelines

- 8. Provide 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 (or in response to a PRA statement) and describe actions taken by the agency in response to these comments.**

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.]

On October 18, 2010, we published a *Federal Register* notice (75 FR 63850) informing the public of our intent to ask OMB to renew approval for this information collection and soliciting comments for 60 days. The comment period ended on December 17, 2010. We received two comments. The Marine Mammal Commission submitted a letter of support for the data collection as proposed. A second comment opposed this information collection as unworthy of continued support and a burden to general taxpayers. In this comment, subsistence marine mammal hunters were misidentified as fishermen. We note the concerns raised by this individual; however, the harvest of marine mammals by certain Alaska Natives for certain purposes is specifically exempted from otherwise prohibited activities by section 101(b) of the Marine Mammal Protection Act of 1972. A Marking, Tagging and Reporting Program is also

specifically mandated by this same Act. We did not make any changes to our information collection.

In 2010, we interviewed village taggers already participating in the program. Results from these interviews indicate that our estimate of the burden required to complete the tagging certificates is correct and has not changed since the last renewal. Following is contact information:

Arthur Demmert, Jr. P.O. Box 180 Klawock, AK 99925	Gerry Koonooka P.O. Box 185 Gambell, AK 99742
Ron Leighton P.O. Box 342 Kasaan, AK 99950	Derek Lopez P.O. Box 882 Petersburg, AK 99833
William Mork P.O. Box 6011 Sitka, AK 99835	Davis Sockpick P.O. Box 72065 Shishmaref, AK 99772

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

We do not provide payments or gifts to respondents.

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

We do not provide any assurance of confidentiality. The hunter must print his name and sign the certification containing harvest information, but we do not ask for social security numbers or other sensitive information. This information is protected by provisions of the Privacy Act of 1974.

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.

We do not ask questions of a sensitive nature.

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

We estimate that we will receive 1,395 annual responses totaling 349 annual burden hours. We estimate the total dollar value of the annual burden hours is \$7,978 (rounded). The Bureau of Labor Statistics May 2009 State Occupational Employment and Wage Estimates lists the mean hourly wage for persons in fishing, farming, and forestry occupations in Alaska as \$16.33 (http://www.bls.gov/oes/current/oes_ak.htm#45-0000). We multiplied the hourly wage by 1.4 to account for benefits in accordance with BLS news release USDL 10-1687, December 8, 2010, Employer Costs for Employee Compensation—September 2010 (<http://www.bls.gov/news.release/ecec.nr0.htm>), resulting in a total hourly cost factor of \$22.86. This rate is likely high for most subsistence users.

ACTIVITY	ANNUAL NUMBER OF RESPONDENTS	ANNUAL NUMBER OF RESPONSES	COMPLETION TIME PER RESPONSE	TOTAL ANNUAL BURDEN HOURS	\$ VALUE OF ANNUAL BURDEN HOURS (\$22.86/HR)
3-2414 (polar bear)	25	25	15 minutes	6	\$ 137.16
3-2415 (walrus)	620	620	15 minutes	155	3,543.30

3-2416 (sea otter)	750	750	15 minutes	188	4,297.68
TOTALS	1,395	1,395		349	\$7,978.14

13. Provide an estimate of the total [nonhour] cost burden to respondents or record keepers resulting from the collection of information.

There is no nonhour burden cost. The only foreseeable nonhour burden cost would be travel expenses that could be incurred by the Alaska Native hunters to comply with the rule. Since the Service has personnel or authorized representatives in individual villages or in nearby villages to do the actual marking and tagging, travel costs to Alaska Natives are not significant and in the majority of instances do not occur.

14. Provide estimates of annualized costs to the Federal Government.

We estimate the total annual cost to the Federal Government to administer this information collection is \$255,231. This is a decrease from the costs reported in previous years because we are not reporting Law Enforcement costs this year. While LE staff are involved in enforcement of the MTRP, they are not directly involved with the information collection.

To calculate salary costs, we used the Office of Personnel Management Salary Table 2011-Alaska to determine the annual wage. We multiplied the annual wage by 1.5 to account for benefits in accordance with BLS news release USDL 10-1687, December 8, 2010, Employer Costs for Employee Compensation—September 2010. We also multiplied the annual salary by 10.56 percent to determine the COLA for Anchorage. We estimated the percentage of time spent by each staff person annually to administer this information collection. We added the annual salary w/benefits and COLA for each staff person and multiplied the total by the percentage of time spent on information collection.

Position/Cost	Grade/Step	Annual Wage	Annual salary plus benefits and COLA	Percent of time working on MTRP	Total Annual Cost (rounded)
Salary Costs					
Wildlife Biologist MTRP	GS 11/2	\$60,516	\$97,164	67%	\$65,100
Wildlife Biologist MTRP	GS 12/10	\$91,252	\$146,514	67%	\$98,164
Clerical	GS 7/1	\$39,572	\$63,537	33%	\$20,967
Payments to Taggers		\$35,000			\$35,000
Cost of Tags and supplies		\$6,000			\$6,000
Travel		\$30,000			\$30,000
Total					\$255,231

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

We are reporting 1,395 annual responses totaling 349 burden hours, which is a decrease of 613 responses and 161 hours. This decrease is an adjustment in the number of responses based on our experience in administering the collection and a more accurate way of calculating response burden for walrus.

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

Results are tabulated quarterly, for management purposes and, along with population census

data, a determination is made if a population is depleted as defined in the MMPA. Summarized information is occasionally presented at both internal external technical and scientific meetings. An evaluation of the MTRP efficacy is contemplated for publication in the journal *Arctic* late in 2012. Analysis will center on a comparison of response rates, program face validity and the relative advantages and disadvantages of this particular harvest data collection program.

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.

There are no exceptions to the certification statement.