

SUPPORTING STATEMENT
REPORTING OF SEA TURTLE ENTANGLEMENTS IN FIXED GEAR FISHERIES
OMB CONTROL NO. 0648-0496

A. JUSTIFICATION

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

This request is for a revision (renewal with major changes to one information collection) of this collection.

Four species of sea turtle migrate northward along the east coast of the United States (U.S.) to forage in nearshore habitats of the Northeast Region (Virginia through Maine) during the spring, summer and fall. These species include juvenile and sub-adult loggerhead (*Caretta caretta*), Kemp's ridley (*Lepidochelys kempii*), and green (*Chelonia mydas*) sea turtles, and sub-adult and adult leatherback sea turtles (*Dermochelys coriacea*). The prevalence of vertical line from fixed gear fisheries (pot traps and gill nets) in these nearshore habitats makes the potential for interaction between turtles and fisheries high. From 2002 through 2010, NOAA Fisheries Northeast Region received 233 reports of entangled sea turtles, the majority of which were leatherbacks (146 reports). National Marine Fisheries Service (NMFS), Northeast Region is working to reduce sea turtle mortality associated with fixed fishing gear interactions through the facilitation of the Sea Turtle Disentanglement Network (STDN). The objectives of this program include: (1) to promote reporting and increase successful disentanglement; (2) to develop and disseminate disentanglement guidelines for the STDN; (3) to develop disentanglement tools specific to sea turtles; and (4) to establish a trained and equipped network to respond to reported entanglement incidents. The Sea Turtle Disentanglement Guidelines and the Sea Turtle Entanglement Report Form (and associated instructions) have been distributed to members of the STDN for the documentation of all entanglement and disentanglement events.

The STDN is made up of federal and state agencies, as well as members of the Sea Turtle Stranding and Salvage Network (STSSN). The STSSN includes organizations that are trained and experienced at stranded sea turtle response on land. Their skills and geographic distribution throughout the region make them ideal members of the STDN. Federal and state agencies involved in the STDN include the United States Coast Guard (USCG), state environmental police, and other agencies whose primary function involves the marine environment. These agencies have line-handling and on-water expertise, as well as the accessibility to the marine environment to facilitate a safe and timely response to entangled sea turtles.

Our understanding of the prevalence and nature of sea turtle entanglement in fixed gear fisheries is necessary to ensure sea turtles are being conserved and protected, as mandated by the [Endangered Species Act of 1973, as amended](#) (ESA). This information will help to assess the impact of fixed fishing gear entanglement on sea turtle populations in the Northeast Region and determine if regulatory actions or management measures are necessary. Lack of observer coverage for the majority of pot fisheries makes this information collection especially critical.

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.

Since the Sea Turtle Disentanglement Guidelines and Sea Turtle Entanglement Report Form (STERF) were disseminated in 2004, members of the public have been requested to call and inform NMFS of any entangled sea turtles that they encounter. Information provided in these phone calls includes: reporting party name and contact information, date and time of observation, location (including latitude and longitude), description of turtle for species identification, condition of turtle— alive or dead, description of entangling gear (rope, line, buoys, colors, ID numbers), location of entangling gear on turtle (head, flippers, single wrap, multiple wraps), description of any visible injuries, and if photo documentation can be obtained. Upon receiving a report of an entangled sea turtle, the appropriate STDN member is deployed to respond, for further documentation, disentanglement, and/or treatment of the animal. The STDN member uses the information from the initial report, plus details obtained during response, to fill out the STERF. The STERF is submitted to NMFS via fax, postal mail or email.

These report forms are archived by NMFS, Northeast Region, Protected Resources Division. During the past six years, this information has been used to monitor the level of incidental take of sea turtles in fixed gear fisheries in the Northeast Region. The information is distributed to the NMFS, Northeast Fisheries Science Center and the Office of Protected Resources, as needed and as requested. It is also used within the Northeast Regional Office for management actions such as ESA section 7 consultations.

Since 2004, we have received 199 sea turtle entanglement reports and documentation has been of much higher quality than in previous years. We have been able to obtain more high quality images and video, increasing the number of “confirmed” reports and expanding our understanding of sea turtle entanglements. The amount of gear collected from sea turtle entanglement events and sent to NMFS Gear Team for analysis has also increased in this period. NMFS has specifically used the information collected in the “Gear Description” (now in “Gear Type” and “Gear Details”) section of the STERF to positively identify the fishery involved in many entanglements, which allows for better monitoring of the number of takes per fishery. The “Buoy ID Numbers” field on the STERF has proven especially valuable in allowing us to trace entangling gear back to its owner and conduct a follow-up interview with that fisherman. NMFS Fishing Industry Liaisons conduct these interviews, which gather the following information:

- 1) Gear type and target species;
- 2) Gear configuration and construction;
- 3) Date and location gear was last set;
- 4) Bottom type and current influence;
- 5) Location of turtle in the gear configuration; and
- 6) Whether the fisherman witnessed the entanglement and, if so, a description of the chain of events.

This information is not available through any other means or collected on any other form. It is extremely valuable to better understand entangling gear configuration and the manner in which it is set.

The “Entanglement Diagram Area” and “Event Summary and Additional Remarks” sections have provided vital information on the nature of entanglements, including the location of the gear on the turtle and any associated wounds. In the new version of the STERF, this information is further broken down in the “Entanglement / Wound Description” section. This section was added in an effort to create consistency in wound and gear configuration descriptions to better evaluate the severity of entanglements. Information is also collected on the sea turtle’s size and sex in order to define the age and sex classes that are most impacted by entanglement.

Detailed information on the type and arrangement of fishing gear, configuration of gear on the turtle, severity of injuries, and demographics of entangled turtles create a base of knowledge of sea turtle entanglement in fixed fishing gear. This information will help direct future gear modification research and potential mitigation measures. In addition, it will help NMFS identify the safest and most efficient methods and tools for disentangling sea turtles, with the direct result of decreasing turtle mortality in fixed fishing gear entanglements. The use of these data is consistent with the general actions stated in the sea turtle recovery plans (i.e., minimize mortality from commercial fisheries).

This submission of the STERF involves a number of revisions to the form. These changes were made as a direct result of recommendations from practical use of previous versions of the form, as well as from the 2008 Vertical Line Workshop coordinated by NMFS, Northeast Region. Participants in the workshop included fishermen, researchers and government representatives; they provided recommendations on information that would be valuable for managing the issue of sea turtle entanglement. Most of the revisions to this form involve simple layout modifications to increase clarity and efficiency in supplying the information. However, there are several substantive additions that should be noted. The description of gear type was modified so that it no longer requires the STDN member filling out the form to draw conclusions on the fishery involved; this information can only be confirmed through gear collection and subsequent analysis by the NOAA Fisheries gear team. Therefore, the latest version of the STERF focuses on a description of the gear, including details such as the type of line, whether hooks were present and whether the gear is weighted by something below the surface. The other substantive change is the addition of a section (mentioned above) that describes the gear configuration on the turtle and also the nature of associated wounds. In previous versions, people filling out this form were not prompted to supply this information and, in some cases, we lacked important details that would help us understand the nature of the entanglement and the degree of injury to the animal. The collection of this specific configuration and wound information is made easier through the use of checkboxes with various pre-determined options, which standardize reporting and reduce the time required to describe in paragraph form.

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. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for

confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

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

Members of the general public are requested to report all sea turtle entanglements via telephone to the STDN or to NMFS directly. The STDN members that complete the STERF will submit it to NMFS either in a hard copy sent via fax or postal mail or, in most cases, in a fillable PDF version of the STERF submitted via electronic mail (those submitting a hard copy use a non-fillable form). Data on the number of submissions via electronic mail versus other methods is available only for 2010; in this year, 20 out of 23 (87%) STERFs were submitted electronically. As only trained STDN responders are authorized to disentangle sea turtles, we post the disentanglement guidelines and STERF only on a private website with limited access.

4. Describe efforts to identify duplication.

Historically, NMFS did not collect this information directly but occasionally received reports from a variety of agencies and the public. The establishment of the STDN developed consistent disentanglement guidelines and reporting protocols to standardize the collection of this information. These documents ensure that takes are reported and vital information on sea turtle entanglements are recorded on a real-time basis. The data requested in the Sea Turtle Disentanglement Guidelines and Sea Turtle Entanglement Report Form were not required or requested prior to the first PRA submission in 2004 and they are not collected elsewhere.

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

This information collection will not have a significant impact on small entities. Small entities, specifically members of the STDN (often not-for-profit institutions), are involved in this information collection but the impacts are minimized by the relatively infrequent nature of the reporting. Sea turtles are typically present in the Northeast Region from May to November; therefore, reporting and information collection occurs only during these months. All information collection is opportunistic and, therefore, is only collected as frequently as an entangled turtle is encountered. The number of reports varies annually, but the most reports per year since 2002 was 45, which occurred in 2004. The STERF is available in a fillable form, which allows small entities to send it to NOAA Fisheries using electronic mail. This method saves the cost of postage and requires less time for submission. The cost of documentation involving photographs is minimized through the use of digital cameras supplied to the STDN by NMFS. Digital photographs can also be sent via electronic mail, meaning there is no cost to developing or sending these images. NMFS also covers the cost associated with shipping forms, photos, video and any removed gear, as necessary.

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

NMFS believes that sea turtle entanglement in fixed fishing gear is a significant source of mortality for leatherback and loggerhead sea turtles based on anecdotal reports and information collected to-date by the STDN and by the Sea Turtle Stranding and Salvage Network. Due to lack of observer coverage of most pot gear fisheries, NMFS will not have any means of assessing sea turtle take in these fisheries if this information is not collected. If NMFS does not continue to disseminate disentanglement guidelines and STERFs, information on sea turtle entanglement in fixed gear fisheries will likely become inconsistent, potentially lacking important data, and reaching NMFS long after the event. More importantly, people who observe an entangled turtle may attempt to disentangle it without authorization or training on how to do so safely and effectively. As we have witnessed in previous years, they may cut the anchoring line and leave life-threatening entangling gear on the turtle with no means for trained responders to relocate the animal.

In addition, if reports are not received in a timely manner, turtles that are injured by entanglement in fixed fishing gear would not receive appropriate medical treatment. Dead entangled turtles would not be documented through thorough data collection and, if appropriate, necropsy by STDN members. NMFS, Northeast Region has dedicated a significant amount of funding and staff time to establishing the STDN and collecting information that is essential to understanding sea turtle entanglement in fixed fishing gear and mitigating the negative impact of these interactions. Acquiring this information to fulfill the aforementioned objectives is an important aspect of the NMFS, Northeast Region sea turtle program.

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

The collection of this information may be inconsistent with the OMB guidelines, Item #1. Item #1 states that the information collection should not require respondents to report information more often than quarterly. Real-time reporting of entangled sea turtles is critical to facilitating trained and authorized responders being able to relocate and disentangle turtles, thereby increasing their chance of survival. Reporting and documentation of entanglement would thus need to be collected more frequently than on a quarterly basis. Sea turtles are generally present in the Northeast Region from May to November and there could be reports of entangled sea turtles at any time during that period. For example, three entangled sea turtles may be encountered in one week or one entangled sea turtle may be encountered in a month. Given the necessity for real-time reporting, there is the potential for members of the STDN, though likely not any specific member of the public, to report sea turtle entanglements more often than quarterly. As stated above, we want only trained and authorized responders engaging in disentanglement activities; therefore, we would only consider posting the disentanglement guidelines and report form on a private website with limited access. Therefore, a fillable and printable version of the form will be available to all STDN responders on the NMFS, Northeast Region, Marine Mammal and Sea Turtle Stranding and Disentanglement Network webpage, network member private access page.

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

A Federal Register Notice published on November 19, 2010 (75 FR 70900) solicited public comment. No comments were received as a result of this notice.

The Sea Turtle Disentanglement Guidelines and STERF were originally compiled with input from the following organizations external to NMFS: the Northeast Region Sea Turtle Stranding and Salvage Network, Provincetown Center for Coastal Studies, state agencies, Canada Department of Fisheries and Oceans, Dalhousie University in Newfoundland, U.S. Coast Guard, U.S. Fish and Wildlife Service, Sea Grant, and fishermen. Draft changes to the document were distributed to members of the STDN and feedback was solicited prior to finalization of both documents.

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

No payments or gifts will be provided to respondents.

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

As stated on the form, personal identifiers and any commercial information will be kept confidential to the extent permitted under the [Freedom of Information Act](#) (FOIA) (5 U.S.C. 552), the [Department of Commerce FOIA regulations](#) (15 CFR Part 4, Subpart A), the [Trade Secrets Act](#) (18 U.S.C. 1905), and [NOAA Administrative Order 216-100](#).

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 collection of information does not involve any questions of a sensitive nature.

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

The total hour estimate for the reporting requirement was determined from the following information:

The number of reports was determined by the anticipated number of entangled sea turtles to be encountered annually in northeast waters. Since OMB's initial clearance of the Sea Turtle

Disentanglement Guidelines and STERF in 2004, NMFS has received 199 reports of entangled sea turtles in the Northeast Region. Those reports ranged from a low of 12 in 2006 to a high of 45 in 2004, with an average of 28.4 reports per year. We used the highest number of annual reports, 45, in this calculation as we expect reports of entangled sea turtles may increase over time with increased awareness due to outreach.

Each of these 45 reports begins with a telephone call to the STDN or to NMFS. Since 2004, approximately 66.7% of telephone reports came from private citizens (including fishermen), 7.4% from businesses (including charter vessels and dive companies), 10.6% from federal agencies, 6.9% from state and local agencies, and 8.5% from not-for-profit institutions. The hourly burden for these calls was calculated by assuming a phone report will last for a maximum of one hour. The time of one hour per report is based on reports where the reporting party provides information and also stands by the turtle while a disentanglement responder is dispatched to the scene. Such scenarios encompass the majority of sea turtle entanglement reports. Therefore, with 45 reports lasting one hour per report, **the hourly burden would be 45 hours.**

The STDN responder in closest proximity to the entangled turtle will typically mount a response, during which they will collect further information about the event and provide photo-documentation. The STDN member then takes this information, as well as the information from the reporting party, and completes the STERF. They submit the photographs, STERF, and any entangling gear collected during the response to NOAA Fisheries. We estimate that completing the form and data submission will take approximately one hour, requiring approximately an additional **45 hours** time commitment annually. There are currently 14 (12 not-for-profit and 2 state agencies) STDN network members that have the potential to complete and submit the STERF, photos and gear.

Interviews with fishermen can only be conducted if buoy or trap numbers are collected from entangling gear and transferred to the NMFS Fishing Industry Liaisons in a timely manner. Since 2004, identification numbers were collected from entangling gear in approximately 37% of sea turtle entanglements. Although interviews were not conducted in all of these cases, this represents an estimated maximum percentage of cases where interviews may be conducted. We estimate that a fisherman interview will take approximately 30 minutes, requiring a **total annual time commitment of eight and a half hours** (17 cases (37% of 45)).

- 45 reports x one hour for telephone report = 45 hours
- 45 x one hour for completing STERF and submitting STERF, photos and gear = 45 hours
- 17 (37% of 45) x one half hour for fishermen interviews = 8.5 hours

Total annual time commitment = 99 hours (rounded from 98.5)

This burden is larger than what was previously approved by OMB due to an adjustment rather than a programmatic change. Previous submissions have not separately accounted for the time required by the reporting party for the initial report *and* the time required by the STDN to complete the STERF. In addition, the fishermen interviews were not accounted for in previous submissions. The adjustment made here and the resulting burden estimate more accurately reflects the true burden incurred by respondents.

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).

The cost burden was obtained by using the information on anticipated numbers of reports as presented in Question 12 and the following information:

An estimated 45 reports are anticipated annually. The cost of a one-hour phone call was estimated to be \$15 per call. Therefore, an annual cost estimate was determined to be \$675 for reporting parties annually. The STERF is most often sent via electronic mail. Any shipping costs for STERFs, photos and/or video, and gear are covered by NMFS. Finally, fishermen that participate in interviews will receive the telephone call from the NMFS NERO Fishing Industry Liaison staff and, therefore, would not incur a cost. **Therefore, the total reporting/recordkeeping cost for this collection is \$675.**

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

The estimated cost to the Federal government will be only in terms of staff hours and supplies. An anticipated 45 reports will be called in to NMFS, and each call is expected to last a maximum of one hour. As such, the hourly burden of initial reports to NMFS would be 45 hours. In addition, NMFS staff would receive and compile the STERFs and input the data into a database. Each report is expected to take a maximum of 30 minutes to enter including obtaining follow-up information if any fields are left blank. This would require an additional 22.5 hours of staff time for a total hourly burden on NMFS of 67.5 hours. The financial burden would depend upon the pay band level of the party answering the phone call and entering the data. The staff fielding these calls and entering these data likely will be pay band level II. However, this task would be included in the respective staff's performance plan and would not be an additional monetary requirement (as it is included in the staff's current salary).

NMFS supplies the STDN with disentanglement kits and digital cameras on an as-needed basis. Disentanglement kits include disentanglement tools and equipment, documentation supplies, and safety gear. Replacing an entire kit costs approximately \$500.00 or individual items in a kit may be replaced. Digital cameras are used to document the majority of disentanglement events; the approximate cost of a digital camera is \$170.00. The cost of these pieces of equipment would vary on an annual basis depending on whether or not previous equipment needs to be replaced. NMFS would also cover shipping of report forms, photographs, video, and any removed gear from the STDN. The cost of this would vary depending on weight of gear shipped (with or without pot, multiple pots, etc.). The average estimated total cost is \$675.

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

As explained in Question 12, there are adjustments to reflect the burden more completely.

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

It is not anticipated that the results of this collection will be published.

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

Not Applicable.

18. Explain each exception to the certification statement.

Not Applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection request does not employ statistical methods.