

SUPPORTING STATEMENT
NOMINATION PROCESS for NATIONAL MARINE SANCTUARIES
OMB CONTROL NO. 0648-0682

A. JUSTIFICATION

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

This request is for an extension of an existing information collection necessary to provide the American public an opportunity to nominate marine areas which the National Oceanic and Atmospheric Administration (NOAA) may consider for designation as a national marine sanctuary, under the [National Marine Sanctuaries Act](#). This sanctuary nomination process, as finalized on June 13, 2014 (79 FR 33851), accepts proposals generated and driven by local and regional community groups and coalitions; these groups are responsible for submitting all information in support of their respective nominations. NOAA began accepting new sanctuary nominations in 2014, after an OMB Control Number for this information collection was confirmed.

Request for Public Comments

NOAA wishes to continue accepting nominations from the public, and has prepared a notice seeking public comment on the proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. This is a continuation of the process begun in 2013, with the initial filing of a request for new information collection, and considers the comments received on the proposed rule to establish the sanctuary nomination process, published on June 28, 2013 (78 FR 38848).

Nomination Criteria

NOAA will analyze any nominations received for national marine sanctuaries based on the final criteria and considerations below, as established in the June 13, 2014 final rule.

National Significance Criteria:

- 1) The area's natural resources and ecological qualities are of special significance and contribute to: biological productivity or diversity; maintenance or enhancement of ecosystem structure and function; maintenance of ecologically or commercially important species or species assemblages; maintenance or enhancement of critical habitat, representative biogeographic assemblages, or both; or maintenance or enhancement of connectivity to other ecologically significant resources.
- 2) The area contains submerged maritime heritage resources of special historical, cultural, or archaeological significance, that: individually or collectively are consistent with the criteria of eligibility for listing on the National Register of Historic Places¹; have met or

¹ The National Register of Historic Places criteria are for resources which:

- a) are associated with events that have made a significant contribution to the broad patterns of our history;
- b) are associated with the lives of significant persons in our past;
- c) embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- d) have yielded or may likely yield, information important in history or prehistory.

which would meet the criteria for designation as a National Historic Landmark; or have special or sacred meaning to the indigenous people of the region or nation.

- 3) The area supports present and potential economic uses, such as: tourism; commercial and recreational fishing; subsistence and traditional uses; diving; and other recreational uses that depend on conservation and management of the area's resources.
- 4) The publicly-derived benefits of the area, such as aesthetic value, public recreation, and access to places depend on conservation and management of the area's resources.

Management Considerations:

- 1) The area provides or enhances opportunities for research in marine science, including marine archaeology.
- 2) The area provides or enhances opportunities for education, including the understanding and appreciation of the marine and Great Lakes environments.
- 3) Adverse impacts from current or future uses and activities threaten the area's significance, values, qualities, and resources.
- 4) A national marine sanctuary would provide unique conservation and management value for this area or adjacent areas.
- 5) The existing regulatory and management authorities for the area could be supplemented or complemented to meet the conservation and management goals for the area.
- 6) There are commitments or possible commitments for partnerships opportunities such as cost sharing, office space, exhibit space, vessel time, or other collaborations to aid conservation or management programs for the area.
- 7) There is community-based support for the nomination expressed by a broad range of interests, such as: individuals or locally-based groups (e.g., friends of group, chamber of commerce); local, tribal, state, or national elected officials; or topic-based stakeholder groups, at the local, regional or national level (e.g., a local chapter of an environmental organization, a regionally-based fishing group, a national-level recreation or tourism organization, academia or science-based group, or an industry association).

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.

NOAA has developed a guide that interested parties may use to develop and submit nominations. The information submitted by nominees will be used by NOAA to determine whether a nominated area is eligible to be designated as a new national marine sanctuary. This information may also be used by NOAA to inform requests for nomination amendments. NOAA has developed a public website to store information submitted on nominations.

NOAA 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 that would be collected is designed to yield data that meet all applicable information quality guidelines. The general information

about an area's special characteristics, qualities, and resources would form the basis of public notices and may be used in scientific, management, technical, general information, and Federal Regulatory publications. ONMS makes it clear in the final rule that all the information submitted in the nomination will be published on the ONMS website. 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.

NOAA will accept the submission of new national marine sanctuary nominations via email and through regular mail. NOAA will not provide a nomination form or application online, but will provide a guide on its website. Nominations will be limited to a maximum of 25 pages, excluding attachments. All submission received as hard copies will be scanned and posted on the website along with electronic submissions.

The nomination guide is available online, and found at the following website that has the URL of www.nominate.noaa.gov, with a link from www.sanctuaries.noaa.gov. The nomination guide is also included with this submission.

4. Describe efforts to identify duplication.

The information required to evaluate nominated areas for sanctuary designation is unique to NOAA and the NMSA and is not replicated by other Federal or state marine resources management authorities.

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

NOAA's collection of information would not involve small businesses or other small entities.

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

If the information collection is not conducted, NOAA would not be able to evaluate nominations for potential sanctuary designation.

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

No special circumstances exist or are anticipated requiring the collection of information to be conducted in a manner consistent with the OMB guidelines.

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 April 11, 2017 (82 FR 17412) solicited public comment on this extension. No comments were received.

Non-NOAA Stakeholder Comments: ONMS contacted two of the nominating communities who submitted nominations since 2014, and held phone interviews with each. The nominators both commented that the process – and therefore this collection number – is invaluable to allow a community-driven process to nominating special places.

One commenter noted an improvement to the process could be to provide access to online biological and other databases, but realizes that is beyond the scope of ONMS’ ability. They also noted they had more burden hours than were projected, but also noted they put together a very large outreach, in a very large region, and with a very large population density. Few (if any) other nominations will likely be as large, and so they felt they were the exception rather than the rule.

The other commenter noted that, because they were the first nomination through the process, they found the organization of the documents and preparation of the nomination took longer than the estimated burden hours, but acknowledged they didn’t have a model to follow. Subsequent nominations were able to follow their model, making the time to prepare a nomination less burdensome.

Response: ONMS responses to the first comment is that ONMS does not own many of the databases available across the country, so while ONMS staff could refer communities, ONMS cannot provide access. As to the comment about the burden estimate, ONMS has revised the estimate to more accurately reflect the burden now that the collection has been in use for 3 years. This revision is shown in question 12.

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

No payments or gifts will be provided to any respondents.

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

NOAA does not anticipate any confidential or proprietary information will be submitted with in conjunction with its final nomination process or its guidelines. Therefore, NOAA does not make any confidentiality statements in this request.

10. 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.

NOAA is asking no sensitive questions in the sanctuary nomination process.

11. Provide an estimate of hours of the burden of the collection of information.

NOAA has updated its initial estimate based on comment feedback, and now estimates a total of 591 hours to collect this information. This is based on an estimate of 5 nominations requiring approximately one response each, and one additional response to requests for additional information for two of the nominations, per year. This makes a total of 7 responses anticipated per year.

Burden Estimate. Public reporting burden for this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information is estimated to average 115 for each of five initial nominations and 8 hours follow-up for two of the five nominations.

Initial Nomination (5):

- Forty (40) hours per response collecting information for nomination;
- Forty (40) hours per response gathering public support and organizing community meetings;
- Five (5) hours per response of public meetings;
- Thirty (30) hours per response writing and submitting nomination request;

Sub-Total: 115 hours per response x 5 nominations = 575 hours.

Response to Request for Additional Information (2):

- Four (4) hours per response for amendments to nomination; and
- Four (4) hours per response for follow-up requests.

Sub- Total: 8 hours per additional information request x 2 nominations = 16 hours.

Total: 575 hours for 5 nominations + 16 hours for additional information = 591 hours.

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 estimated annual cost for copying and mailing or submitting sanctuary nominations and subsequent responses is \$120. Most nominations will be well suited to submit electronically via email or through a web form, which will be encouraged, and should reduce additional mailing costs.

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

The cost to the Federal government for each nomination is estimated to be \$9,795, and is listed in the attached table. All costs are for the staff time required to process, review, and evaluate sanctuary nominations and communicate with nominees.

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

There are no changes to the information collection. The only adjustments are the estimation of burden hours, based on comments, and the estimation of fewer nominations, based on recent years.

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

The information collected may be used not only to inform the criteria review process for potential sanctuary designation, but may also be generally used as supporting material in any subsequent part of the designation process. For instance, socioeconomic information may be used to support regulatory flexibility analyses for small businesses. Environmental information may be used in a draft or final environmental impact statement which would be part of the designation process. In addition, information about historical or cultural resources may help to support evaluation under the National Historical Preservation Act, Section 106 review.

17. If seeking approval to no display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

The OMB Control No. and expiration date for this information collection will be displayed on the instructions for the nomination, and on the nomination website, and other materials related to the sanctuary nomination process, including the final rule implementing the new sanctuary nomination process, and any subsequent notices announcing sites that have been added to the inventory of possible areas for designation as new national marine sanctuaries. For any nominations that are submitted via email and that do not have the OMB Control Number on them, the number and expiration date will be provided in a confirmation email of receipt of the nomination.

18. Explain each exception to the certification statement.

N/A.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

N/A.

New PRA Information Collection: Burden Estimate

Nominator Average Burden							
	Nominations/ Yr	Responses/ Nomination	Total Responses	Hrs/ Response	Total Hours	Labor Cost/ Response (\$)	Total Cost (\$)
Nomination	5	5	7	115	575	1,725	8,625
Additional Information Request	2	2	2	8	16	120	240
TOTAL	7	7	9	NA	591	1,845	8,865

Federal Government						
	Number of Personnel	Hrs/Response /Person	Total Hours	\$/Hour	Total Cost (\$)	
Scientific review	5	25	125	50	6,250	
Management level discussions	3	5	15	65	975	
Administrative and staff hours	2	7.5	15	30	450	
Additional communications with nominator	Variable	2	40 (2/nomination)	53 (avg.)	2,120	
TOTAL	Variable	39.5	195	53	9,795	