

Supporting Statement A
Trailerred Recreational Watercraft Regional Data-sharing

OMB Control Number: 1024-New

Terms of Clearance: None.

Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

In 2017, the Department of Interior convened its constituent Bureaus to address the threat of Dreissenid mussels (quagga and zebra mussels) in the western U.S. with special emphasis on preventing the introduction of these invasive species to the Columbia River Basin. As part of this effort, the participating Bureaus committed to a suite of actions which are summarized in the plan

Safeguarding the West from Invasive Species: Actions to Strengthen Federal, State and Tribal Coordination to Address Invasive Mussels¹

One of the actions to which the NPS has committed is obtaining approval to collect information that will be compiled in a regional database that is used by western states and others to collect and share information on the origin, destination, inspection and decontamination of trailerred recreational watercraft.

Quagga and zebra mussels are aquatic invasive species (AIS) that were introduced to the United States in ballast water discharged into the Great Lakes by transoceanic ships. In 2007, quagga mussels were found in Lake Mead National Recreational Area, likely after being introduced on the hull of a trailerred recreational boat from Lake Michigan. Since then, the western states, have passed legislation, promulgated regulations and, with support from the federal government, implemented boat inspection programs and public outreach campaigns to prevent the spread of quagga and zebra mussels through the movement of trailerred watercraft.

Through the Nonindigenous Aquatic Nuisance Protection and Control Act (as amended by the National Invasive Species Act of 1996), Congress established the Aquatic Nuisance Species Task Force (of which

¹ https://www.doi.gov/sites/doi.gov/files/uploads/safeguarding_the_west_from_invasive_species.pdf

the NPS is a member) to “develop and implement a program for waters of the United States to prevent introduction and dispersal of aquatic nuisance species”. Because most invasions are caused by human activities, future invasions can only truly be prevented through changes in human behavior. In the context of zebra and quagga mussels, addressing the risk associated with recreational watercraft that are transported overland on trailers is critical to preventing introduction and spread to new waters. State and federal watercraft inspection and decontamination (WID) programs are the primary tool for reducing this risk. In addition, to identify high-risk boats and performing decontaminations these programs function to educate the boating public about the role they play in protecting the resources they value from Dreissenid mussels and other invasive species.

Title 18 of the Lacey Act, prohibits the importation or transportation of a species across state lines if the species is “deemed to be injurious or potentially injurious to the health and welfare of human beings, to the interest of forestry, agriculture, and horticulture, or to the welfare and survival of the wildlife or wildlife resources of the United States”. The zebra mussel is federally listed as an injurious species under the Lacey Act but the closely related quagga mussel is not. Nonetheless, a number of western states have laws prohibiting the possession or transportation of quagga mussels and a violation of these laws may trigger a violation of the “wildlife trafficking” provisions of the Lacey Act which state that it is unlawful for any person to:

“import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce any fish or wildlife taken, possessed, transported, or sold in violation of any law or regulation of any State or in violation of any foreign law.”

A recreational boater, for example, might violate the Lacey Act by towing a boat that is contaminated with quagga mussels across state lines which would be a violation of the laws of one or both states.

Watercraft inspection and decontamination (WID) are key components of AIS prevention programs.. WID programs have been implemented throughout the west with the aim of reducing the introduction and spread of quagga and zebra mussels on trailered recreational watercraft. WID involves inspections at checkpoints strategically located at particular water bodies or, in case of some states, along highways. NPS WID stations are located exclusively on or near boat ramps or other points of entry to NPS managed waters. Typically at NPS units, contacts with boaters (and, if needed, inspections) occur soon after watercraft are pulled out of the water or immediately prior to launching.

As a federal member of the Aquatic Nuisance Species Task Force, the National Park Service is mandated

the by Nonindigenous Aquatic Nuisance Control and Protection Act (NANCPA) as amended by the National Invasive Species Act (NISA) to assist in ... *preventing the introduction, establishment and spread of invasive species by applying innovative science and technology and promoting open data.* Consistent with this statute, in cooperation with states and other federal agencies, the NPS is engaged in the effort to prevent the spread of quagga and zebra mussels. This Information Collection Request (ICR) is collect data at watercraft inspection/decontamination stations at nine NPS units.

Prior to launching, soon after pulling out of the water or, before leaving a marina boaters will be asked to complete short survey that will share time-sensitive information among the agencies working to prevent the spread of quagga and zebra mussels. The survey provide management agencies with information about the origin and treatment of trailered recreational watercraft, so that they can assess risk and prioritize inspection/decontamination.

Legislative Authorities:

- **NPS Organic Act (16 U.S.C 1)**

“The National Park Service is required to regulate the use of the Federal areas known as national parks, monuments, and reservations ... to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.” Aquatic invasive species in general, and quagga / zebra mussels in particular, adversely impact the aquatic resources that NPS is charged with conserving and reduce potential for visitor enjoyment.

- **Nonindigenous Aquatic Nuisance Prevention and Control Act/ National Invasive Species Act (16 U.S.C. 4701)**

“Whenever the [Aquatic Nuisance Species Task Force] determines that there is a substantial risk of unintentional introduction of an aquatic nuisance species by an identified pathway and that the adverse consequences of such an introduction are likely to be substantial, the Task Force shall, acting through the appropriate Federal agency, and after an opportunity for public comment, carry out cooperative, environmentally sound efforts with regional, State and local entities to minimize the risk of such an introduction.” The work of the Task Force is carried out through six regional panels and the federal members, including the NPS.

- **Lacey Act (18 U.S.C. 42)**

The original goal of the Act was to protect wild game and bird populations by prohibiting trade in organisms that have been illegally taken, possessed, transported or sold. Zebra mussels are listed as injurious under this law, and possession and transport of these mussels is prohibited in the United States, unless permitted for research or other such uses. The movement of quagga mussels on trailered watercraft is regulated under the laws of many western states. Trailered boats that are moved across state boundaries and in violation of state regulations are also in violation of the Lacy Act.

- **National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.)**

Provides policies and planning mechanisms to protect and mitigate park resources from damage. Affected parks will abide by all applicable requirements under NEPA for actions related to quagga/zebra mussel prevention and control.

- **Executive Order 13112 as amended February 1999**

EO 13112 established the National Invasive Species Council in 1999 to take steps to prevent the introduction and spread of invasive species, and to support efforts to eradicate and control invasive species that are established.

2. Indicate how, by whom, how frequently, and for what purpose the information is to be used.

Existing NPS WID programs employ trained staff to contact boaters entering or leaving a water body, ask a series of questions to assess risk, and inspect and decontaminate the watercraft if necessary. The following NPS areas currently have watercraft inspection / decontamination programs:

-
- | | |
|--|--|
| 1. Amistad National Recreation Area | 6. Grand Teton National Park |
| 2. Bighorn Canyon National Recreation Area | 7. Lake Mead National Recreation Area |
| 3. Curecanti National Recreation Area | 8. Lake Roosevelt National Recreation Area |
| 4. Glacier National Park | 9. Yellowstone National Park |
| 5. Glen Canyon National Recreation Area | |
-

All responses will be entered via an app on a smartphone, tablet or similar device by NPS staff. The user interface for the app will include fields for the following information:

- source and / or destination of the watercraft,
- presence of mussels, other AIS and / or AIS risk factors,
- outcome of any inspection/decontamination procedures that may be performed

Information Collected	Purpose
Watercraft owner / hauler knowledge of tanks or containers (including ballast tanks) on the watercraft that may hold water.	Internal systems that hold water are one of the key indicators of the risk that a boat may be transporting mussel larvae and juveniles or other AIS.
Possession of live aquatic bait	Many species that are used as live bait are non-native and / or invasive.

Information Collected	Purpose
Inbound watercraft: Has the boat been out of state in the last 30 days? Outbound watercraft: Has the boat been in any other waters in the last 30 days?	Inbound: Used to assess the risk associated with incoming boats based on origin and the time for which mussels and other AIS may remain viable. Outbound: Used to determine whether the vessel represents a risk to other water bodies, including those managed by the NPS, other federal agencies or partners.
Outbound watercraft: Where is the next intended launch site?	Used to identify waters at risk contamination from outbound boats and communicate this risk to the appropriate management agencies.

The information collected will be used by following:

- NPS personnel,
- NPS concessionaire employees
- state partners
- Western Regional Panel for Aquatic Nuisance Sp

The purpose of the database is to allow the exchange information on the origin, destination and presence of quagga / zebra mussels and other AIS on trailered watercraft to prevent the spread of zebra and quagga mussels in the western U.S.

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.

Information will be collected and retrieved 100% electronically using a mobile app designed for smartphones, tablets or similar devices. The data will be uploaded to a shared web-based database. The decision to use this proven technology is to: (1) eliminate the need for paper, (2) reduce the time for data entry, (3) reduce the potential for errors and (4) facilitates rapid communication with partners in other federal and state agencies.

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.

There is no duplication of effort by the NPS. Preventing the spread of quagga and zebra mussels in the west requires collaboration between federal and state agencies and others. The regional database allows NPS and its partners to share information regarding the risk associated with trailered recreational watercraft, including information on whether watercraft have been decontaminated. Sharing information in this manner eliminates the need for redundant information collections, inspections and decontaminations when watercraft are moved through multiple jurisdictions.

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

Private boat haulers contracted to transport boats to and from the launch sites will be required to provide the information on the behalf of the individual boat owner. The burden will not be a significant impact on their normal course of business.

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.

The Nonindigenous Aquatic Nuisance Protection and Control Act as amended by the National Invasive Species Act of 1996 (16 U.S.C. § 4711) directs federal agencies to prevent the introduction, establishment and spread of invasive species by applying innovative science and technology and promoting open data. If NPS were unable to collect this information it would be unable to comply with this direction from Congress and the sharing information on trailered boats with other management agencies in a timely manner would remain difficult.

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.**

There are no circumstances that require us to collect the information 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.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three 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.

On February 8, 2019, we published in the Federal Register (84 FR 2920) a Notice to announce out intent

to submit an information collection request to OMB for approval. In that Notice, we requested public comments for 60 days, ending on April 9, 2019. We did not receive any comments related to this Notice. In addition, we contacted six (6) individuals outside of the agency to review survey instruments for this collection. Based on their experience, use of similar forms and the WID database, these individuals were asked to assess the clarity and overall effectiveness of the questions proposed for this collection.

We received responses from five (5) of the six (6) individuals. Four (4) indicated that the questions were clear and effective as written. The fifth reviewer indicated the questions were generally clear and effective and suggested adding two questions:

- 1) boat owners' zip codes;
- 2) length of time before the boat was launched again.

We incorporated the second question into the survey because it allows watercraft inspection / decontamination crews to assess risk and determine whether decontamination is necessary; however, we decided not to include a question on zip code because it does not contribute substantively to purpose of this collection.

List of Non Federal Reviewers contacted outside of the agency to provide feedback

- 1) State of Wyoming Aquatic Invasive Species Coordinator
- 2) State of Colorado Invasive Species Coordinator
- 3) State of Nevada Aquatic Invasive Species Coordinator
- 4) State of Utah Aquatic Invasive Species Coordinator
- 5) State of Arizona Aquatic Invasive Species Coordinator

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

We will not be providing 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.

There are no assurances of confidentiality assigned to this collection. During the initial contact, only the watercraft registration number (or boat trailer license plate) will be entered into the app. All responses to the survey questions about the watercraft will be associated with the registration number. In the event

that a watercraft does not have a visible registration number, the trailer license number will be used in its place. Although the watercraft's registration number or trailer license number could be used to identify boat's owners through state boat or motor vehicle registration databases, NPS does not intend to use the information for this purpose.

After consulting with the NPS Privacy Officer, Felix Uribe, it was determined that a System of Records Notice (SORN) will not be required because the NPS is not responsible for storing or safeguarding the information (see Privacy Threshold Analysis attached in ROCIS as supplemental documents). All data will be managed by a 3rd party contractor for Colorado Parks and Wildlife supported by federal funding.

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.

There are no 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.**
- **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.**

We estimate that we will receive 160,000 annual responses totaling 4,000 annual burden hours for this collection. The estimated burden for each respondent group listed in the table below. We anticipate that one to three minutes will be spent responding to the questions based upon the AIS risk factors (low or high). Our estimates are based on experiences previous collection of this nature and respondent feedback. Typical response time required an average of two minutes to enter information into app. The number of respondents is an extrapolation based the number of watercraft contacted in FY2016 at nine sites

The dollar value of the burden hours is approximately \$147,080 (rounded). We used the Bureau of Labor Statistics (BLS) News Release USDL-19-1002, June 18, 2019 Employer Costs for Employee Compensation— March 19, 2019, (<http://www.bls.gov/news.release/pdf/ecec.pdf>) to estimate average hourly wages and to calculate benefits. Table 1 of the bulletin lists the hourly wage plus benefits for all workers as \$36.77. For the purposes of this information collection, we are using the same rate for both individuals and the private sector

Table 12.1. Annual Burden Estimates

Activity	Responses	Annual Number of Responses	Completion Time per Response (minutes)	Total Annual Burden Hours	Hourly Labor Costs including Benefits	Total Dollar Value of Annual Burden Hours*
Low Risk	Recreational	108,000	1	1,800	\$36.77	\$66,186
	Commercial	12,000	1	200	\$36.77	\$7,354
High Risk	Recreational	36,000	3	1,800	\$36.77	\$66,186
	Commercial	4,000	3	200	\$36.77	\$7,354
Total		0		0		0

13. Provide an estimate of the total annual non-hour cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- **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 for form processing). 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 non-hour cost burden associated with this information collection.

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.

The estimated annualized cost to the Federal government including operational expenses is \$311,800.

The average time for each employee averages 3 minutes per response. The cost per response is shown in the table below. We estimate that the annual cost to the Federal Government to administer this information collection is \$236,800 (160,000 responses x \$1.48). To determine average hourly rates, we used Office of Personnel Management Salary Table 2019-RUS (https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/19Tables/html/RUS_h.aspx). We multiplied hourly rates by 1.6 to account for benefits.

This Information collection will be incorporated into the workflows of existing NPS Prevention and Containment programs which will not require hiring of additional staff.

Table 14.1 –Federal Government Salary

Position	Grade	Hourly Pay rate	Hourly Rate Including Benefits (1.6 x Hourly Rate)	Time Spend on Response	Weighted Average
Seasonal Technician	GS-5, Step 5	\$18.44	\$29.50	3 minutes	\$1.48
					\$1.48

Operational expenses include the purchase of data entry / retrieval devices (smartphones or tablets). We assuming at least 10 ramp staff per participating NPS unit and an average cost of \$750 per device (10 staff x \$750= \$7,500 per NPS unit). The combined total initial cost of purchasing equipment for the 10 participating NPS units will be \$75,000 (10 NPS units x \$7,500 = \$75,000.00).

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

This is a new collection.

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.

The data collected will not be tabulated, nor will statistical analysis will be performed, or published by the NPS. This collection is an on-going process that is conducted daily on an annual basis.

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.

The OMB Control Number will appear in the preamble before the survey that will include the PRA statement associated with the app.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.