

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Marine Mammal Stranding Reports / Marine Mammal Rehabilitation**  
**Disposition Report / Human Interaction Data Sheet**  
**OMB CONTROL NO. 0648-0178**

**A. Justification**

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

This request is for revision of this previously approved data collection for which approval will expire March 31, 2020. All of the currently approved forms in this collection have been slightly modified. The changes are outlined below.

Under the [Marine Mammal Protection Act](#) (MMPA), the Secretary (i.e., Secretary of Commerce, who has delegated responsibility under this Act to the National Oceanic and Atmospheric Administration (NOAA) Assistant Administrator for Fisheries) is charged with the protection and management of marine mammals (cetaceans and pinnipeds excluding walrus) and is responsible for collecting information on marine mammal strandings, which will be compiled and analyzed, by region, to monitor species, numbers, conditions, and causes of illnesses and deaths of stranded animals. The Secretary is also responsible for collection of information on other life history and reference level data, including marine mammal tissue analyses, that would allow comparison of the causes of illness and deaths in stranded marine mammals by physical, chemical, and biological environmental parameters.

In addition, determinations must be made on the sustainability of population stocks, on the impact of fisheries and other human activities on marine mammals and endangered species, and on the health of marine mammals and related environmental considerations. NOAA's National Marine Fisheries Service (NMFS) has the responsibility to carry out these mandates.

Section 402(b) of the MMPA (16 U.S.C. 1421a) requires the Secretary to collect and update information on marine mammal strandings. It further provides that the Secretary shall compile and analyze, by region, the species, numbers, conditions, and causes of illnesses and deaths in stranded marine mammals. Section 404 (a) of the MMPA (16 U.S.C. 1421c) mandates that the Secretary respond to unusual marine mammal mortality events. Without a historical baseline provided by marine mammal information collected from strandings, detection of such events could be difficult and the investigation could be impeded. Section 401 (b) of the MMPA (16 U.S.C. 1421) requires NMFS to facilitate the collection and dissemination of reference data on the health of marine mammal populations in the wild and to correlate health with physical, chemical, and biological environmental parameters. In order to perform this function, NMFS must standardize data collection protocols for health and correlations. Data and samples collected from stranded animals are a critical part of the implementation of this mandate of the MMPA.

Specifically, the data from the Marine Mammal Stranding Report forms provide NMFS with information on the morphology, life history, biology, general health, health and stranding trends, causes of mortality, and distribution of marine mammal species. These data provide reference information necessary to detect epizootic diseases such as the morbillivirus epizootic in bottlenose dolphins in 2013

or the periodic leptospirosis outbreaks experienced by California sea lions since at least 1984. These data also provide information which may help in making assessments on the status of population stocks. Recording data on gross mortalities may serve as an indicator that a particular population is impacted, threatened or at increased risk, and when provided in a timely manner, aid in dynamic management practices. Changes in sex ratios, age composition, or age at sexual maturity may also indicate stressed populations and can be detected with stranding data. Stranding data also provide an important baseline for detecting and monitoring the impacts of environmental phenomena, such as El Niño, seen in California sea lions and gray whales in 1998, and Harmful Algal Blooms (HABs) such as domoic acid (repeatedly detected in California) and brevetoxin or red tide impacting bottlenose dolphins in Florida.

Stranding records can be a tool for alerting management personnel to changes in incidental mortality of marine mammals due to human activities such as fisheries bycatch. Evidence of significant harbor porpoise mortalities due to gill net fisheries off the mid-Atlantic coast was provided by the Stranding Network in early 1993. This provided fishery managers with clues to seasonal and geographical information on fishery impact. Information obtained from strandings can also provide indications of enforcement problems. As an example, in March 1993, large numbers of dead pinnipeds were discovered along the central Washington coast. Stranding Network information provided proof that over half of the animals had been shot.

Registration of tissues retained from strandings is mandatory under [50 CFR 216.22\(c\)](#). With limited exceptions, the MMPA prohibits the purchase or sale of marine mammals or marine mammal parts. It also prohibits the possession of marine mammals or marine mammal parts taken in violation of the Act. In order to provide adequate enforcement of the Act while still allowing legitimate activities, it is necessary to document the inventory of tissues that are legally held. The Marine Mammal Stranding Report form provides information which may be used for registration of marine mammal parts taken under stranding authority and for tracking of such legally obtained samples. The use of these forms assists NMFS in standardizing this procedure.

Minor edits to the current version of the Stranding Report form are proposed, including beginning to collect live, entangled large whale data in this data collection, streamlining the confidence codes, collecting data on marine debris and entanglement interactions, and minor textual edits to field names to better match the other two forms.

Under MMPA section 104(c)(10) [16 U.S.C. 1374(c)(10)], NMFS is required to maintain an inventory of live marine mammals held under permits for rehabilitation or captive display. The data in the Marine Mammal Rehabilitation Disposition report are required to monitor and track animals during rehabilitation and during transfer to permanent-permitted status. For public display facilities which participate in the program as a rehabilitation center, reporting becomes a critical record if the animal is retained and put on display. If that happens, reporting requirements transfer to those mandated under OMB Control No. 0648-0084.

The Marine Mammal Rehabilitation Disposition Report provides NMFS with information on the disposition of animals brought in for rehabilitation, the success of medical treatment, and the number of animals released. This information will assist the Agency in tracking marine mammals that move into captive display and in the monitoring of rehabilitation and release. The data will also be used to assess

the burden on stranding network centers. This form will be filled out only in the case of live-stranded marine mammals. The form is required in all five NMFS Regions. Each of the NMFS regions approves and issues a Letter of Agreement or other form of agreement to marine mammal rehabilitation centers under §112(c) of the MMPA, which allows the Secretary to enter into agreements in order to fulfill the general purposes of the Act, and under §403 of the MMPA, which provides specific authority to enter into such stranding response agreements. These data will be monitored as part of the Rehabilitation Facilities Inspection program.

Minor changes are proposed for the Marine Mammal Rehabilitation Disposition form, including the collection of all pinniped pups born in rehab (previously was only for pups that survived the first 48 hours). Additionally, minor edits to field names were made to better match the other two forms.

The Protocol for Examining Marine Mammals for Signs of Human Interaction provides NMFS with consistent and detailed information on signs of human interaction in stranded marine mammals. This form also includes a subjective section that allows the examiner to evaluate the likelihood that human interaction contributed to the stranding of the animal. This information will assist the Agency in tracking resource conflicts and will provide a solid scientific foundation for conservation and management of marine mammals. With a better understanding of interactions, appropriate measures can be taken to resolve conflicts and stranding data are the best source of information regarding the occurrence of different types of human interaction. This form is filled out for all stranded marine mammals determined to be code 1, 2, or 3 when the stranding has been “Confirmed by Network.”

Minor changes to field names are proposed for this form, to better match the other two forms.

**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.**

The Marine Mammal Stranding Network (Network) is made up of over 100 organizations authorized by National Marine Fisheries Service [i.e., via Stranding Agreement (SA) under §112(c) of the MMPA which allows the Secretary to enter into agreements in order to fulfill the general purposes of the Act] to collect scientific data and specimens, record information on stranding events with the NMFS Regional Coordinator, and assist local and Federal authorities in the response to stranded marine mammals under §109(h) of the MMPA. The Network are also authorized to assist with detection and investigation of marine mammal unusual mortality events. The majority of Network organizations are affiliated with non-profit organizations, academic institutions, aquaria, rehabilitation centers, or state, federal, tribal, and local agencies. Members are requested to submit basic data (i.e., Level A data) on the Marine Mammal Stranding Report form, for all strandings including date and location, species, condition of animal, sex of animal, length, disposition of the animal and tissues or specimens, and any personal observations. As authorized (i.e., typically within 30 days or more frequently depending on type of case), members of the Network complete the stranding forms and forward to their NMFS Regional Stranding Coordinator in a specified time and/or can electronically enter data into the NMFS Marine Mammal Health and Stranding Response Stranding Database. Direct electronic entry is also possible for the Rehabilitation Disposition and Human Interaction data sheets.

Stranding network participants benefit by gaining access to information, data exchange, and tissue samples which might otherwise not be available. Analyses by the Network and research laboratories of tissues from strandings have significantly contributed to the body of knowledge on which management decisions are made and enhanced our understanding of marine mammal health. Non-scientists participating in the Network receive the satisfaction of aiding wildlife, enhancing wildlife conservation, and furthering scientific understanding of these species. Stranding network members also provide important expertise and involvement in Unusual Mortality Event investigations, when an unusual number of animals are found stranded and an official investigation is launched to determine the factors involved.

As indicated above, the information is used by the Agency in making resource management decisions and in fulfilling responsibilities under the MMPA. In addition to detecting serious pathogens, diseases, pollution loads, evidence of anthropogenic impacts on marine mammals, investigations into unusual mortality events (UMEs), and providing life history information about marine mammal stocks, records of mortalities due to fishery by-catch are used in implementing the fisheries management regime in §118 of the MMPA. This Section mandates that mortality levels be below the potential biological removal level of the marine mammal stock. As an example of the value of such information, stranding reports alerted the Agency to a potentially serious interaction between harbor porpoise and coastal gillnet fisheries in the Mid-Atlantic region. In addition, the Agency is continuing to monitor strandings in the Mid-Atlantic to guide observer placement on fisheries. Prior to the receipt of stranding information, NMFS was unaware of the problem.

While the information provided in the current Marine Mammal Stranding Report form is valuable, the previous example also highlights the need for the more detailed human interaction data. The Human Interaction Data Sheet allows NMFS to collect more detailed data in a standardized manner that is consistent across all regions. These data help the Agency to better monitor and respond to resource conflicts, before they become a widespread problem.

Section 118 of the MMPA generally provides that Take Reduction Plans be developed through Take Reduction Teams for strategic stocks of marine mammal that interact with Category I fisheries (those with frequent incidental mortality and serious injury of marine mammals) and Category II fisheries (occasional incidental mortality and serious injury of marine mammals). The data provided by Marine Mammal Stranding Reports and the **Human Interaction Data Sheet** may be used by the Take Reduction Teams to identify gear types, seasons, and geographical locations in which fisheries impact marine mammals.

The information and tissues collected in conjunction with response to stranding events have been used by scientists, state management agencies, and conservation organizations. A substantial number of publications have resulted from stranding data to include information on basic morphology and distribution of marine mammals, biochemistry, diseases of marine mammals, and on the potential for interaction with fisheries.

From 2006 through 2018, the Network responded to 82,504 stranded marine mammals, representing 20,682 cetaceans and 61,822 pinnipeds (excluding walrus). A portion of marine mammals that strand alive are deemed appropriate candidates for rehabilitation and the Network completes the Marine

Mammal Rehabilitation Disposition Report. This report provides NMFS with information on the disposition of animals brought in for rehabilitation, types of disease and other health related issues upon admission, types of and response to medical treatment, and the number of animals released. This information assists the Agency in tracking marine mammals that are transferred to captive display facilities following a determination of non-releasability and in the monitoring of rehabilitation facilities and release protocols.

The Agency 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. As stated in the "Data Access" section found on the back page of the forms, upon written request (including under the Freedom of Information Act), certain fields of both reports will be provided to the requestor provided that credit is given to the Marine Mammal Stranding Network and the NMFS. The privacy standards under FOIA, preventing the release of personal information including home phone numbers and addresses, dictates that certain data fields which are collected for government use will not be released to the public. 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 meets 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.**

Stranding Network organizations can enter Level A data from all forms in the data collection (Marine Mammal Stranding Report, Marine Mammal Rehabilitation Disposition Report, and the Human Interaction Data Sheet) to the Marine Mammal Health and Stranding Response Program National Database. The database is password protected and access is limited to Stranding Network organizations. Stranding organizations do have access to view regional data (i.e., within their own region). NMFS may also require paper copies be submitted to the NMFS Regional Stranding Coordinators in a timely manner as detailed in their SAs. This requirement has been useful for periodic data validation. The forms are also located on the NOAA Fisheries Office of Protected Resources Website at <https://www.fisheries.noaa.gov/national/marine-mammal-protection/level-data-collection-marine-mammal-stranding-events>.

**4. Describe efforts to identify duplication.**

Although some duplication of reporting (multiple users reporting the same event) may result from the large number of stranding network members responding to and reporting stranding events, it has not been a problem to date. Any duplication is eliminated during data entry and review by regional NMFS personnel. Centralizing the data in the National Database provides the most efficient means to distribute information upon requests from other Federal agencies (e.g., Navy, Smithsonian Institute, etc.), Network members, state and local managers, and the public. To our knowledge, state or other federal agencies do not collect these data.

**5. If the collection of information involves small businesses or other small entities, describe the**

**methods used to minimize burden.**

Collection and centralization of data across areas involving small entities (i.e., typically not-for-profit organizations) should minimize the burden of each organization building and maintaining their own independent databases. Since stranding network members can view data from other groups in a centralized database, communication and cooperation between the Network members should increase.

**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 was not conducted by NMFS, either another Federal agency or private organization would need to act in its place as coordinator for the data. If the material and data were not collected, the U.S. Government would not be able to implement Title IV of the MMPA and meet the requirements of the MMPA outlined in response to number 1. In addition, U.S. Government decisions on the management of marine mammals and the management of fisheries would not be made from the best available information.

Section 404 of the MMPA mandates that the Secretary respond to unusual marine mortality events. Response time is critical, especially in the instance of an unusual mortality event. The NMFS regional stranding coordinators require near real-time data to alert NMFS when an unusual mortality event is occurring. Also, without a historical baseline provided by information collected from strandings, detection and investigation of such events is more difficult.

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

Because detection and response to mortality events or other problems having an impact on marine mammals is extremely time sensitive, quarterly reporting is not a viable option.

**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 December 13, 2019 (84 FR 68144) solicited public comment on this proposed revision. During the 60-day comment period, comments were received from members of the national stranding network on all aspects of the data collection (Level A Stranding Form, Rehabilitation Disposition Form, Examiner’s Guide, and Human Interaction Datasheet). Comments are addressed below and sorted by data form and general comments.

**General Comments**

*Comment 1:* Two commenters disagreed with the estimated reporting time

burden, as it was their view that the estimated time burden for the Human Interaction Data Sheet and Level A form should include the time it would take to conduct a thorough examination or necropsy (if applicable).

*Response 1:* The reporting time burden refers to the amount of time that it will take a member of the public to physically fill out the form and examine the marine mammal. The form should be filled out to the level at which the responder examined the marine mammal. A necropsy or in-depth exam is not required for the Level A form or Human Interaction Data Sheet, and therefore NMFS thinks that the 30 minute time estimate for the Level A form and 45 minute time estimate for the Human Interaction form is accurate.

*Comment 2:* Many of the comments received focused on specific grammar or punctuation errors. Additionally, several comments were received about inconsistencies between the Level A form and Human Interaction Data Sheet in the definitions of fields in the Examiner's Guide. Lastly, several questions were received asking NMFS to clarify how data fields should be filled out in very specific situations.

*Response 2:* NMFS has accepted all of these grammatical corrections and incorporated them into all documents. Inconsistencies between data field names and definitions were addressed as much as possible. Lastly, where possible, NMFS attempted to clarify how to fill in specific data fields during unique cases. Instances in which NMFS did not agree with the request for clarification are discussed in the following sections.

### **Level A Data Sheet**

*Comment 1:* Some respondents had questions about the change to confidence codes. For this revision, confidence codes were condensed from four to three options. There were questions about the necessity of including an "unconfirmed" option. Additionally, there were requests to clarify if photo/video evidence of a stranding were considered "Confirmed by Network" or "Confirmed Public Report".

*Response 1:* The inclusion of the revised confidence codes on the Level A form will create more national consistency. NMFS has revised the Examiner's Guide to clarify that if photo/video evidence received from the public that confirms the report, that stranding event should be considered as a "Confirmed Public Report." If a stranding Network responder subsequently responds/physically observes the stranding, the case should be considered "Confirmed by Network". If there is no response, and the event is not confirmed through photos or videos, "Unconfirmed Public Report" may be used, depending upon the level of detail gathered from the reporting party. This lower level of confirmation is more frequently used in certain parts of the country, particularly remote areas, and may not be frequently used in more populous regions, but NMFS needs this category to meet the needs of the national network.

These revised confirmation codes are necessary, as they allow NMFS to ensure data quality, and are useful when different types of queries or analyses are performed. For example, an analysis of the number of reported stranded marine mammal might include data that is “Unconfirmed Public Report”, while an analysis of the number of strandings of a specific species may exclude data that is not “Confirmed by Network”. Being able to sort and filter the data based upon different confidence codes is important, as the data selected for analysis will depend upon the goal of the analysis.

*Comment 2:* One respondent requested that more carcass codes be added to the Level A form. They suggested that “Code 3 (Moderate Decomposition)” be split into “Early Code 3” and “Late Code 3”, as “Code 3” carcasses can vary greatly in their decomposition.

*Response 2:* NMFS understands the commenter’s rationale, as we recognize that many stranding Network organizations internally and in descriptions will categorize moderately decomposed “Code 3” carcasses into early and late categories. However, NMFS does not think it would be feasible to identify a consistent case definition that would apply across the country and across taxa to define early or late “Code 3”. Therefore, the condition codes will remain the same.

*Comment 3:* One respondent suggested that freshwater lesions be added as an option under the “Other Findings Upon Level A Examination”. Currently freshwater lesions must be entered in the “Other” category, and the respondent thought that its inclusion as a specific option would better improve data collection and consistency in the database.

*Response 3:* NMFS agrees that in some areas of the country, the impact of freshwater on cetaceans is a growing concern. NMFS recognizes this growing issue and has been working to better understand this issue, but currently lacks a case definition of this condition. Therefore, while a specific freshwater section will not be added for these revisions, it is something that NMFS would consider in future revisions. This information can still be captured by using the “Other” category.

*Comment 4:* One commenter asked for the addition of more marine debris-focused data fields under the Human Interaction section of the Level A form. They also suggested the addition of several definitions of marine debris to the Examiner’s Guide, to ensure that NMFS is collecting information on this important issue. Similarly, another commenter suggested that NMFS make the categories of human interaction on the Level A Form more consistent with the human interaction options captured on the Human Interaction Datasheet.

*Response 4:* NMFS agrees that it can collect more information on marine debris/marine mammal interactions and make the two forms more consistent. NMFS has added “Entangled” and “Ingestion” as human interaction options on the Level A form, to be more consistent with the options listed on the Human



Interaction Datasheet. The “Ingestion” further breaks out the marine debris types into “gear” and “debris.” NMFS has also added definitions for these fields and added the NOAA Marine Debris Program’s definition of marine debris in the Examiner’s Guide. Lastly, NMFS has removed the requirement to only select one type of human interaction on the Level A form, as a stranded marine mammal may have evidence of multiple types of human interaction.

*Comment 5:* Several respondents asked for clarification for the “animal deemed releasable” option under “Live Animal Condition/Determination”. The commenters noted that the description in the Examiner’s Guide says that the animal has no signs of injury/illness, but that they may release an animal the presents minor scratches and scrapes.

*Response 5:* NMFS agrees, and has modified the language to reflect that animals may be released if they have no outward signs of illness or injury that would impact survivability.

*Comment 6:* Many commenters were concerned about the addition of adding a “stranded” or “live entangled, in-water”. There was confusion as to why it was necessary, and why only cetaceans should be captured as “live entangled, in-water”. There were also questions about when an entangled cetacean should receive a Level A form and when it should not. Lastly, there were questions about the appropriateness of capturing entanglement data in the Level A database, as entanglement and stranding cases can be quite different.

*Response 6:* NMFS added this data field to the Level A form for this revision to provide a centralized accounting for strandings and entangled cetaceans. While most regions track information about large whale entanglement events in separate databases at the regional level, these databases are not accessible to Headquarters for queries. Additionally, one region does not have a separate database. The Level A Data Sheet has historically been used to capture only information about stranded animals, and live entangled, free-swimming animals do not meet the statutory definition of a stranding. Therefore, large whale entanglements have not historically been captured in the Level A database, but small cetacean entanglements have been entered into the Level A database. For consistency, NMFS has decided to start entering large whale entanglement cases into the database nationwide. However, recognizing that regional databases are being maintained to capture more extensive information on the entangled whale and any interventions, the Level A form will be minimally filled out for these cases, serving primarily as a “flag” or tracking tool in national-level data queries. NMFS does recognize that the addition of large whale entanglements is still inconsistent, as pinniped entanglements are still not captured in the database, unless they are also stranded. As pinnipeds are not as easily identifiable as cetaceans, there are concerns that the same individual pinniped could be recorded multiple times. Therefore, only entangled cetaceans with life-threatening entanglements should receive a Level A form. Entanglements are deemed life-

threatening only after NMFS (and possibly outside experts) review the case to determine if an animal will be able to survive with the entanglement.

NMFS recognizes the commenters concerns, but notes that there are on average only 100 cases of entangled large whales annually. Additionally, the NMFS Regional Stranding Coordinators or NMFS Regional Entanglement Coordinators will primarily be filling out the Level A data sheet for these cases, and therefore this change will result in a negligible increased burden to the public.

*Comment 7:* One commenter suggested that the “Initial Observation Date” be the earliest confirmed date and not an estimate.

*Response 7:* NMFS disagrees with this comment as the “Initial Observation Date” is often an estimate in many remote places in the country. The earliest date when the stranding is confirmed can be recorded as the “Level A Exam Date”.

*Comment 8:* One respondent requested that NMFS delineate between cases in which an animal was released at site by stranding Network responders and pushed out by the public.

*Response 8:* NMFS disagrees that separate categories are needed for release by public vs. release by responders. The “Immediate Release At Site” option should be checked in both cases, and if the animal was pushed back by members of the public without verbal authorization from the Stranding Network, it should be recorded as “Other” in the Human Interaction section.

*Comment 9:* One commenter suggested that the age class definitions be revised to include if an animal is socially or nutritionally dependent.

*Response 9:* NMFS recognizes that age classes are not consistent across different marine mammal taxa and the age classes used on the Level A form may be defined differently by various stranding response groups. Additionally, the age class may sometimes be a best estimate, especially when determining if an animal is a calf or a yearling. In an effort to ensure national consistency, NMFS has determined that the age class names should remain the same as these categories fit the need for the majority of the country.

*Comment 10:* One commenter suggested that the Human Interaction section clarify if “Could Not Be Determined” was selected but human interaction is suspected.

*Response 10:* NMFS recognizes that “Could Not Be Determined” could be selected even when human interaction is suspected, but there is not conclusive evidence. This is one of the reasons that NMFS has begun requiring the Human Interaction Data Sheet, to help ascertain the specifics of each case. As this form is now required for all code 1, 2, and 3 animals that are physically examined by Stranding

Network responders, NMFS does not think it is necessary to add the distinction requested by the commenter.

## **Rehabilitation Disposition Form**

*Comment 1:* Several comments were received that questioned why pups born in rehabilitation did not receive a rehabilitation disposition form unless they survived at least 48 hours. The commenters noted that this created a data gap, as this policy made it impossible to know the true number of pups born in rehabilitation.

*Response 1:* NMFS agrees with these comments and has amended the Level A matrix so that all pups born live in rehabilitation receive a rehabilitation disposition form. Pups/fetuses that are aborted should not receive a separate rehabilitation disposition form, but should be noted on the mother's forms. Additionally, NMFS has added a Rehabilitation Disposition Form Matrix (similar to the Level A Matrix) that outlines when cases should/should not receive a Rehabilitation Disposition Form.

*Comment 2:* One commenter suggested that a "N/A" option be added next to the "Last Day of Antibiotics" in the "Medical Record" section, to clarify if an animal has never been given antibiotics while in rehabilitation.

*Response 2:* NMFS agrees with this comment and has added the checkbox and a definition of this field in the Examiner's Guide.

## **Human Interaction Form**

*Comment 1:* Two commenters were concerned that some parts of the Network may not complete the form correctly. The commenters suggested that nation-wide mandatory training on how to identify human interaction should be provided to the Network, to ensure that the form is filled out in a consistent manner.

*Response 1:* NMFS understands the commenters' concerns. Before the Human Interaction Data Sheet became required on January 1, 2020, NMFS held webinars on how to complete the electronic version of this form in the database, to ensure consistency. However, NMFS does not think it is necessary to hold hands-on trainings on how to identify human interaction cases for Network members. NMFS does not provide trainings on how to collect data for other aspects of these forms (for example, there are no nation-wide trainings on how to determine if a marine mammal is ill or injured). Stranding Network members are authorized by NMFS to conduct stranding response activities, and part of this authorization process involves assessing the organization's capabilities to ensure that responders will be well trained. Additionally, NMFS notes that the two commenters self-identified as being well-trained, but they were concerned that other organizations were not well trained. No organizations submitted comments indicating that they themselves did

not feel like they could accurately collect this information. Finally, NMFS has added links in the Examiner's Guide to a technical memorandum published in 2013 that describes how to conduct a human interaction exam in greater detail than the Examiner's Guide.

*Comment 2:* Two commenters were concerned about NMFS' data validation process for human interaction data. There was concern that NMFS would arbitrarily change human interaction data based on NMFS' evaluations and conclusions for each individual case. The commenters recommended that all human interaction cases be validated by a committee before the data are used or released to the public.

*Response 2:* NMFS will validate data on the Human Interaction Data Sheet the same way in which it currently validates data collected by the Level A and Rehabilitation Disposition forms. The data are submitted to the Regional Stranding Coordinator, who works with the submitting stranding Network organization to ensure all data captured on the form are accurate and complete. The data gathered by the Human Interaction Data Sheet will provide more context for human interaction cases, but NMFS would not alter the data or conclusions on the Human Interaction Datasheet. Instead the Regional Stranding Coordinator will work with the submitting organization to ensure all data are accurate and complete. This validation process has worked well for the other forms, and NMFS believe it will also work well for the Human Interaction Datasheet.

Once the data have been validated by NMFS, the data could be released to the public. While NMFS always endeavors to validate the data as much as possible, when releasing any stranding network data, NMFS includes caveats that data may be incomplete or have errors.

*Comment 3:* Two commenters questioned if the Human Interaction Data Sheet required proprietary level B and C data, and if Network member affiliations will be publicly identified during data requests. The commenters were concerned that contentious human interaction cases could be attributed to a specific examiner if the examiner name was released.

*Response 3:* NMFS understands the commenters' concerns regarding level B and C data. Therefore, the fields that would require level B and C data are not required, but strongly encouraged, whenever possible. We have clarified in the Examiner's Guide that the Human Interaction form should be filled out to the extent of the examination that was done, but does not dictate that level of exam. Therefore, if a necropsy or internal examination can be performed it should be, but if it is not, the Network member would indicate that no internal exam was conducted.

As mentioned previously, NMFS believes it can and should be collecting data on human interaction cases, to better manage marine mammal populations, and the limited human interaction data provided on the Level A form is already being used

for these purposes. The data gathered by the Human Interaction Data Sheet will provide more context for human interaction cases, and so it is highly encouraged that Network members share as much data on the form as they are comfortable reporting. This will help NMFS to identify anthropogenic impacts and conflicts, which will ultimately help NMFS better manage these populations and ensure that these species are adequately protected.

NMFS does share the concern that Network members may be publicly identified during data requests. Therefore, NMFS will redact the examiner name when releasing data to the public, under FOIA Exemption 6. NMFS will still collect this information for internal use only, so that we may contact the examiner if there are questions about a specific case.

*Comment 4:* One respondent suggested that the Human Interaction Data Sheet should not be filled out unless the animal was physically examined by a stranding Network responder (i.e., it should not be filled out for Unconfirmed Public Report or Confirmed Public Report cases).

*Response 4:* NMFS agrees with the commenter and has clarified in the Examiner's Guide that this form should only be filled out if a stranding Network member was able to physically examine the animal.

*Comment 5:* One commenter said that they were confused that some lines on the form had a specific text box for details, while other parts of the form had one large text box for several lines. They suggested either adding a "details" text box on every line or having only one large "details" text box.

*Response 5:* NMFS always strives for consistency in designing these forms, when possible. However, NMFS disagrees with this respondent. Most of the details can be entered into a single section, but some lines had a specific "details" section as NMFS anticipates more responses to those specific data fields, and therefore it is more appropriate to have specific "details" sections for those data fields.

*Comment 6:* One respondent was concerned that the requirement to note if an image was taken of a human interaction lesion would create an undue burden when validating the data on the form, as the examiner would have to search through all of the photo records at their organization to confirm that a photo was taken.

*Response 6:* NMFS has clarified in the Examiner's Guide that the examiner should indicate if a photo was taken to the best of their knowledge. Examiners do not need to search their entire photo catalog while validating the form. NMFS also notes that this form should ideally be filled out simultaneously with the human interaction exam, or shortly thereafter, when memories of whether or not an image was taken would hopefully be fresh in the mind of the examiner.

*Comment 7:* Some commenters suggested that the inclusion of scavenger damage be removed from the Human Interaction form as they did not believe it added value.

*Response 7:* NMFS disagrees, as the scavenger damage category helps to put the exam results in context. For example, an examiner may select “Could Not Be Determined” or “Not Examined” for a specific anatomical area, because the area was heavily damaged from scavengers.

*Comment 8:* One commenter suggested that body condition be removed from this form as the body condition could simply be noted in the comments section.

*Response 8:* NMFS disagrees, and believes that the body condition field can help put some findings in context, and its inclusion as a separate field ensures that this data will be captured in a consistent manner.

*Comment 9:* One commenter suggested that the “HI Lesions Present” field in the “Whole Body Exam” was redundant as it can be captured in the “Detailed Exam of Anatomical Areas”

*Response 9:* NMFS recognizes that this section may be redundant, but it will help to validate the data in the detailed examination section. Additionally, it will help to more easily query and analyze human interaction data.

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

No payments or gifts are provided to respondents.

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

The respondents are instructed to not include personal information including phone numbers and e-mail addresses. In accordance with the [Freedom of Information Act](#) and [Privacy Act](#), any personal information inadvertently included may be redacted from a response to a request for information by another party depending on the information and circumstances. No assurances of confidentiality are necessary or provided to respondents.

**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.**

The information collection does not require the submission of information of a sensitive nature.

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

There are three required forms: the Marine Mammal Stranding Report, the Marine Mammal

Rehabilitation Disposition Report, and the Human Interaction Data Sheet. These forms are required nationwide; however, the Marine Mammal Rehabilitation Disposition Report is required only for live animal strandings, and the Human Interaction Data Sheet is required for all strandings that involve code 1-3 animals that are confirmed by a network member.

Most of these forms will be filled out by volunteers/unpaid interns/students, however, some may be filled out by paid staff. Therefore, NMFS used an average wage rate of \$10/hour.

Information Collection	Type of Respondent (Occupational Title)	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hrs (e) = (c) x (d)	Mean Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Marine Mammal Stranding Report	Volunteer	400	15.75	6,300	30 min	3,150	\$10.00	\$31,500
Marine Mammal Rehabilitation Disposition Report	Volunteer	400	7	2,800	30 min	1,400	\$10.00	\$14,000
Human Interaction Data Sheet	Volunteer	400	13.75	5,500	45 min	4,125	\$10.00	\$41,250
<b>Totals</b>				<b>14,600</b>		<b>8,675</b>		<b>\$86,750.00</b>



**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).**

There should be no additional cost to respondents in terms of capital and start-up costs. The sole cost for operations would involve the cost of reproducing the paper Stranding Report form and postage for mailing the completed reports to the appropriate NMFS Regional Office (if the stranding network does not submit the data electronically). The cost of reproducing the paper form and mailing the forms is estimated to be approximately \$203.10 annually for the entire network. This cost was calculated using 6,300 Stranding Report forms where 3% are submitted by mail and 97% are online electronic submissions. All Rehabilitation Disposition forms are submitted electronically, so there are no additional costs associated with this form. Similar to the Stranding Report, we estimate that for the Human Interaction Data Sheet, 3% are submitted by mail and 97% are online electronic submissions.

Information Collection	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c)=(a) x (b)	Cost Burden / Response (h)	Total Annual Cost Burden (i) = (c) x (h)
Marine Mammal Stranding Report	400	15.75	6,300	.65 for each submitted on paper (189)	\$122.85
Marine Mammal Rehabilitation Disposition Report	400	7	2,800	0	0
Human Interaction Data Sheet	400	13.75	5,500	.65 for each submitted on paper (165)	\$107.25
<b>TOTALS</b>			<b>14,600</b>		<b>\$230.10</b>

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

It is estimated that ten staff months are involved in data processing and analysis. An estimate of 3 staff months was provided by the California (CA) stranding coordinator which has the highest number of strandings. Two staff months has been applied to the Greater Atlantic (GAR) and Southeast (SER) regions and the Washington/Oregon (WA-OR) stranding coordinator. An estimate of one staff month has been applied to Alaska (AKR) and the Pacific Islands (PIR) Regions, where the total number of reports are considerably less than in other Regions. Two staff months have been estimated for headquarters (HQ) staff. The total cost to the Federal government is estimated at \$76,651.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
HQ Oversight	ZP-3 -01	\$72,030	16.6%		\$12,004
CA Oversight	ZP-3 -01	\$73,096	25.0%		\$18,274
WA-OR Oversight	ZP-3 -01	\$70,120	16.6%		\$11,681
GAR Oversight	ZP-3 -01	\$71,274	16.6%		\$11,874
SER Oversight	ZP-3 -01	\$68,182	16.6%		\$11,359
AKR Oversight	ZP-3 -01	\$71,583	8.3%		\$5,962
PIR Oversight	ZP-3 -01	\$66,002	8.3%		\$5,497
Contractor Cost		0	0	0	0
Travel					0
Other Costs					0
<b>TOTAL</b>					<b>\$76,651</b>

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

**Adjustments:**

Based on recent submissions, we estimate 14,600 responses per year for all three forms (Stranding Report, Rehabilitation Disposition Forms, and the Human Interaction Data Sheet), an increase of 650 from the last extension. There is an associated increase of 437 hours. This increase is partially due to an increase in the number of strandings, and not a change in the estimated amount of time it will take to fill out the forms. The increase is also partially due to a change in what cases require a Human Interaction Data Sheet. In 2017, when the form was introduced, we proposed that it only be filled out for all species that are listed as Endangered/Threatened, all large whale species, and all stranded cetaceans determined to be code 1, 2, or 3. However, several comments received from the Stranding Network encouraged us to also require it for all code 1, 2 and 3 pinniped cases. Therefore, this estimate has included the 12-year annual average of all code 1, 2, and 3 strandings in the United States. In recent years there has been an increase in cases requiring these forms, mostly attributed to several high profile Unusual Mortality Events (UMEs). As these UMEs subside, the number of cases requiring these forms should decrease.

Information Collection	Respondents		Responses		Burden Hours		Reason for change or adjustment
	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	
Marine Mammal Stranding Report	400	400	6,300	6,300	3,150	3,150	
Marine Mammal Rehabilitation Disposition Report	400	400	2,800	2,600	1,400	1,300	Increase in cases that require rehabilitation
Human Interaction Data Sheet	400	400	5,500	5,050	4,125	3,788	Increase in code 1, 2, and 3 strandings
<b>Total for Collection</b>	<b>400</b>	<b>400</b>	<b>14,600</b>	<b>13,950</b>	<b>8,675</b>	<b>8,238</b>	
<b>Difference</b>	<b>0</b>		<b>650</b>		<b>437</b>		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Marine Mammal Stranding Report	\$31,500	\$31,500	\$122.85	\$1,056	Increase in postage costs, but net decrease due to electronic submission
Marine Mammal Rehabilitation Disposition Report	\$14,000	\$13,000	0	0	Increase in cases that require rehabilitation form
Human Interaction Data Sheet	\$41,250	\$37,850	\$107.25	\$56	Increase in postage costs and number of strandings that require this form
<b>Total for Collection</b>	<b>\$86,750</b>	<b>\$82,350</b>	<b>\$230</b>	<b>\$1,112</b>	
<b>Difference</b>	<b>\$4,400</b>		<b>\$-882</b>		

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

Data from the Marine Mammal Stranding form and the Marine Mammal Disposition form will be entered into the database, reviewed by the NMFS regional stranding coordinators, summarized, and compiled. The regional stranding coordinators will summarize and provide data upon written request. Information may also be used as baselines for comparisons of die-offs and may be included in official NMFS technical memos, peer reviewed publications, and posted on the NMFS Web site: <http://www.nmfs.noaa.gov/pr/health/publications.htm> .

**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.**

NMFS is not seeking approval to not display the expiration date.

**18. Explain each exception to the certification statement.**

There are no exceptions for compliance with provisions in the certification statement.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.