

**1SUPPORTING STATEMENT A FOR
PAPERWORK REDUCTION ACT SUBMISSION**

**Marine Mammal Marking, Tagging, and Reporting Certificates and
Registration of Certain Dead Marine Mammal Hard Parts,
50 CFR 18.23(f) and 18.26
OMB Control Number 1018-0066**

Terms of Clearance: None.

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

Under section 101(b) of the Marine Mammal Protection Act of 1972, (MMPA) as amended, Alaska Natives residing in Alaska and dwelling on the coast of the North Pacific or Arctic Ocean may harvest polar bear (*Ursus maritimus*), northern sea otter (*Enhydra lutris kenyoni*), and Pacific walrus (*Odobenus rosmarus divergens*) for subsistence or handicraft purposes. Section 109(i) of the MMPA authorizes the Secretary of the Interior (Secretary) to prescribe marking, tagging, and reporting regulations applicable to the Alaska Native subsistence and handicraft take. Regulations at 50 CFR 18.26 permit the collection of certain dead marine mammal hard parts by non-Natives. Non-Natives may also collect bones, teeth, or ivory of any dead marine mammal from a beach or from land within ¼-mile of the ocean.

This collection of information allows us to track who has registered beach found hard parts and determine whether the take of marine mammal hard parts is legal. Without authority to collect this information, we would not be able to distinguish between Native legal harvests and non-Native collection. Acting on behalf of the Secretary, the U.S. Fish and Wildlife Service (we, Service) published regulations at 50 CFR 18.23(f) and 50 CFR 18.26(a)(b)(c)(d). These regulations require, among other things, that Alaska Natives and non-Natives report harvest or collection of marine mammals to the Service and have them tagged.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

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

Alaska Native Harvest Reporting: We use three Service forms to collect harvest information on Alaska Native harvest:

- Form 3-2414, "Polar Bear Tagging Certificate",
- Form 3-2415, "Walrus Tagging Certificate", and
- Form 3-2416, "Sea Otter Tagging Certificate".

We collect the following information from Alaska Natives:

- A. Date of kill.** We use the date of kill to provide information on chronology of the harvest in population modeling and in determining which cohorts are being killed.
- B. Sex of the animal.** We use this information in population modeling, determining the status of populations, and predicting population trends.
- C. Kill/collection Location.** This information yields insights on the distribution and relative abundance of the three species, the level and intensity of the harvest, and the harvest impacts on the species and their subpopulations.
- D. Condition of the polar bear and whether or not cubs were present (Form 3-2414).** We use this information (1) as an indicator of polar bear physiological condition across their range based upon five newly standardized condition categories and (2) to supplement basic polar bear production and survival information based upon hunter observations.
- E. Type of take for walrus (LK = live killed, BF = beach found; (Form 3-2415)).** This information increases the accuracy of the known mortality and harvest data by discriminating between a walrus killed for subsistence purposes or found dead and salvaged. Requiring all ivory that has been taken or collected (pursuant to the Alaska Native exemption) to be marked, tagged, and reported simplifies Service enforcement efforts.
- F. Number of otters present in, and number of otters harvested from, a pod (Form 3-2416).** We use the information as an indicator of both otter density across range and hunter effort.
- G. Research Marks/Tags.** As stated in the MMPA hunters need to report and turn in collars and tags to researchers when they are on a harvested bear.
- H. Conflict or problem bear (Form 3-2414).** With increasing presence of bears in villages we are attempting to determine if bear harvest is due to proximity to personal property and potential hazard to the community.
- I. Hunter available for post hunt interview (Form 3-2414).** Additional information can provide management with bear-human interactions and conflict avoidance measures. Each harvest is a unique experience and it has come to our attention that this form cannot provide all the information needed to make sound decisions for management.
- J. Specimens Collected (Forms 3-2414, 3-2416).** Samples may be requested from the hunter to supplement research goals on harvest. The MMPA states that the hunter must submit a skull for tagging for both sea otter and polar bear, a tooth is often pulled to estimate age of the animal.
- K. Walrus tusk length and circumference (Form 3-2415).** Walrus tusks are measured for both identification and research purposes.

- L. **Additional walrus harvested without tusks (Form 3-2415).** Young walrus and very old walrus may not have tusks and we need to account for their removal.
- M. **Name of the hunter, collector, or possessor of the specified parts at the time of marking, tagging, and reporting.** The basis for payments to the tagging officials located in the individual villages is on the number of animals tagged. We collect the name and signature of the hunter/collector for internal control. It also reduces the chance of false reporting for the tagging official's economic gain.

Proposed Changes to Form 3-2414, "Polar Bear Tagging Certificate"

With the changing environment, we are making a few needed changes to the Form 3-2414. These changes are:

- A. Age Class (Five different categories.)
- B. Bear Condition (Three different categories)
- C. Research Marks/Tags (New Question).
- D. Conflict or Problem Bear? (New question).
- E. Defense of Life (Property removed).
- F. Hunter Available for Post Hunt Interview? (Yes/No) Phone # (New question).
 - Post-Interview Questions* (if the hunter agrees):
 - a. Was there a food source/attractant that the bear was interested in? What was the attractant?
 - b. Was there any attempt to haze the bear to get it to leave?
 - c. Was it believed that the bear could be a threat to people?

NOTE: These are typical post hunt questions that would only be asked if the biologist needed information on a bear that was marked as a problem bear. There is no standardized questioning.

- G. We removed the "Time Spent Hunting" and "Vehicle Use While Hunting" questions as this information has not proved valuable.

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

FWS Form 3-2406 (Non-Native Marine Mammal Certificate): We collect information from non-Native collectors on FWS Form 3-2406. Service employees and law enforcement personnel collect information from non-Native collectors who are required to register marine mammal hard parts within 30 days in order to retain them. This collection of information allows us to track who has registered beach found hard parts and determine whether the take of marine mammal hard parts is legal. We collect information on:

- A. Date tusks are tagged.
- B. Village or town where tusks are tagged.
- C. Tag number of plastic-headed wire tag used for left tusk.
- D. Tag number of plastic-headed wire tag used for right tusk.
- E. Date found.
- F. Age of walrus.
- G. Sex of walrus.
- H. Tusk circumference at gum line.

- I. Tusk length from gum line to tip along front side following the curve of the tusk.
- J. Record the date tusks are tagged.
- K. Exact location of kill or find.
- L. Tag number for polar bear skull.
- M. Tag number for sea otter skull.
- N. Location and date collected of any polar bear, sea otter or (non-tusk) walrus hard part.
- O. Any information of interest about the beach found hard part collected.
- P. Name of the person that collected the hard part.
- Q. Collector's address.
- R. Collector's phone number.
- S. Collector's date of birth. For example – 3 miles east of Barrow or 6 miles S.W. of South Lawrence Island.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden and specifically how this collection meets GPEA requirements.

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

The requested information is unique to each individual Alaska Native hunter, or non-Native collector, and no other sources are available. The information changes with each location and each animal killed or collected, and it is necessary for the individual hunter(s) and collector(s) to provide the required parts of each animal killed/collected and the information associated with those kills/finds. We have attempted to minimize the burden on Alaska Natives by establishing a network of individuals in this program at strategic locations around the State. These individuals are in place to receive reports from Alaska Native hunters to minimize the necessary time for complying with these marking and reporting requirements. However, it is necessary for hunters to report in person each individual kill so that Service representatives can (1) attach marks and tags to the marine mammal parts and (2) collect information important for wildlife management purposes from the parts provided (e.g., measurements of polar bear and northern sea otter skulls and walrus tusks).

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

We are not aware of the collection of any similar real-time information for these species and populations nor are we aware of any similar marking program currently in use.

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

This information collection does not impact small businesses or other small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If we did not collect the information, or collected it less frequently, we would be unable to census the entire harvest annually, or mark all available specimens for law enforcement purposes. Our capability to scientifically manage polar bear, Pacific walrus, and northern sea otter harvest in Alaska would be seriously compromised. If we did not require tagging of non-Native collected beach found hard parts, we would not be able to distinguish between Native legal harvests and non-Native collection. There is no information otherwise available for use in place of the information that we currently collect on the reporting forms.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * requiring respondents to report information to the agency more often than quarterly;
- * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- * in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- * requiring respondents to submit proprietary trade secrets, or other confidential information, unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

We ask respondents to report information more often than quarterly. The goal of the MTRP is to gather reports of all kills and to tag or mark, as appropriate, all skins, skulls, and tusks of marine mammals to reduce illegal trade in walrus ivory and polar bear and northern sea otter skins. Collecting information from non-Natives is required to inhibit illegal trade of marine mammal hard parts.

We use the data from the reports for management of polar bears, northern sea otters, and walrus. If these reports were submitted quarterly rather than as now required (i.e., within 30 days of take), the accuracy of the data would be seriously compromised, thereby reducing our ability to make sound management decisions. Increased illegal traffic of marine mammal parts could ensue. There are no other circumstances requiring the collection of 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 December 2, 2019, we published in the *Federal Register* ([84 FR 65997](#)) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on January 31, 2020. We did not receive any comments in response to that notice.

In addition to the *Federal Register* notice, we consulted with the nine (9) individuals identified in Table 8.1 who are familiar with this collection of information in order to validate our time burden estimate and asked for comments on the questions below:

Table 8.1

Title	Organization
N/A	Nome Eskimo
N/A	Native Village of Elim
N/A	Ketchikan Tribe
N/A	Native Village of Savoonga
N/A	Native Village of Gambell
N/A	Craig Native Corporation
N/A	Native Village of Wales
N/A	Alitiiq Tribe of Old Harbor
N/A	Sunaq Tribe of Kodiak

“Whether or not the collection of information is necessary, including whether or not the information will have practical utility; whether there are any questions they felt were unnecessary”

Comments: I broached the question to these nine taggers on if they felt tagging was important and if they thought the information they collected will be useful and if any questions were unnecessary. All respondents, to some degree, thought what we or they? did was important and the information was useful. One respondent questioned the importance of why we collected information on vehicles used in harvesting bears. Not one of the respondents thought it was unimportant.

Agency Response/Action Taken: After listening to the respondent we agreed that it is not of value to collect information on what vehicle is used in harvesting polar bears and removed it from certificates.

“The accuracy of our estimate of the burden for this collection of information”

Comments: I questioned these nine taggers on how long the tagging process took to accomplish per individual. The responses varied from 5 minutes to 20 depending on the species and the condition of the item to be tagged. One person noted that tagging frozen hides can take quite a bit longer than thawed hides. Four of the people said 15 minutes per animal. Three persons were in the 5-10 minute range and one said 20 minutes and one said 15-20. The average was 13.89 so I went with 15 minutes for a single tagging process.

Agency Response/Action Taken: No response was given as this question was subjective. I did give feedback to the tagger about how I ask hunters to only bring me thawed hides when I tag.

“Ways to enhance the quality, utility, and clarity of the information to be collected”

Comments: Only one person really had input on ways to improve the quality, use and clarity of the information gathered. He just said “hunters need to tag their stuff right away.” The guidelines for tagging say to tag within 30 days of harvest. The other respondents thought was fine now or didn’t have an opinion.

Agency Response/Action Taken: To respond to the one person that had a comment on this, I just agreed and encouraged him to tag as soon as possible. It is the responsibility of the hunter to tag their harvest within 30 days according to the MMPA Native exemptions section. The tagger is there for the hunter. The other respondents did not have an opinion or thought it was fine as is.

“Ways to minimize the burden of the collection of information on respondents”

Comments: The only responses on ways to reduce burden on the tagger were: Come up with an App. for phones to report harvest. Pay the tagger more money for their effort as living in the villages is expensive.

Agency Response/Action Taken: Response to the creating an App. was that it was an excellent idea and I would bring it up to our biologists. Response to paying more was that we would evaluate the current pay and see if an increase is due. There was a slight increase in payment for walrus tusks from \$5.00 to \$7.50 five years ago. Polar bear hides and skulls has increased in the last ten years from \$100 to \$200 for a full bear tagging with a skull measurement and tooth pulled. Sea otter has remained the same.

Additional comments received during the outreach

Comments: The only real additional comment was that we need to visit the village he lives in more often.

Agency Response/Action Take: The response to this was that I would make a point to prioritize his village during travel.

None of the respondents have personal access to e-mail living in remote areas. All interviews were done over the phone.

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

We do not provide payments or gifts to respondents.

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

The hunter must print his name and sign the certification containing harvest information, but we do not ask for social security numbers or other sensitive information. We ask for the following information from the non-Native collectors: name, date of birth, phone number, and address of the collector. This information is protected by provisions of the Privacy Act of 1974 and we will maintain the information in a secure system of records (“Marine Mammals Management, Marking, Tagging and Reporting Program—Interior, FWS-30”, August 5, 1993, [58 FR 41803](#); modification published June 4, 2008, [73 FR 31877](#)).

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.

We do not ask 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 **2,030 annual responses** totaling **508 annual burden hours**. We estimate the total dollar value of the annual burden hours is **\$16,088 (rounded)**. The Bureau of Labor Statistics [May 2018 State Occupational Employment and Wage Estimates Alaska](#) lists the mean hourly wage for persons in farming, fishing, and forestry occupations as \$22.15. We multiplied the hourly wage by 1.43 to account for benefits in accordance Bureau of Labor (BLS) News Release [USDL-19-2195](#), December 18, 2019, Employer Costs for Employee Compensation—September 2019, resulting in a total hourly cost factor of \$31.67. This rate is likely high for most subsistence users.

Activity	Annual Number of Respondents	Average Number of Responses Each	Annual Number of Responses*	Completion Time per Response	Total Annual Burden Hours	\$ Value of Annual Burden Hours (\$31.67/hr)
3-2414 (Polar Bear)	20	1.5	30	15 minutes	8	\$ 253

3-2415 (Walrus)	90	3.3	300	15 minutes	75	2,375
3-2416 (Sea Otter)	60	25	1,500	15 minutes	375	11,876
3-2406 (Non-Native)	200	1	200	15 minutes	50	1,583
TOTALS:	370		2,030		508	\$ 16,088

*Rounded to match ROCIS.

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers 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 nonhour burden cost. The only foreseeable nonhour burden cost would be travel expenses that could be incurred by the Alaska Native hunters to comply with the rule. Since we have personnel or authorized representatives in individual villages or in nearby villages to do the actual marking and tagging, travel costs to Alaska Natives are not significant and in the majority of instances do not occur.

14. Provide estimates of annualized 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.

We estimate the total annual cost to the Federal Government to administer this information collection is **\$208,658** (\$157,658 – salaries and \$51,000 – program costs). To calculate salary costs, we used Office of Personnel Management Salary Table [2020-AK](#) to obtain the most up-to-date wages for staff. In accordance with News Release [USD-19-2195](#), December 18, 2019, Employer Costs for Employee Compensation—September 2019, we multiplied the salaries by 1.59 to calculate the fully burdened wages for each staff member. We estimated the

percentage of time spent by each staff person annually to administer this information collection.

Position/Cost	Grade/ Step	Annual Wages	Fully Burdened Wages (x1.59 - rounded)	Percent of time working on MTRP	Total Annual Cost (rounded)
Salary Costs					
Wildlife Biologist - MTRP	GS-12/05	\$ 97,241	\$ 154,613	90%	\$ 139,152
Wildlife Biologist - Walrus	GS-09/05	67,054	106,616	10%	10,662
Clerical	GS-06/05	49,330	78,435	10%	7,844
<i>Subtotal – Salary Costs</i>					<i>\$ 157,658</i>
Other Program Costs					
Payments to Taggers					35,000
Cost of Tags and supplies					6,000
Travel					10,000
<i>Subtotal – Other Program Costs</i>					<i>51,000</i>
Total					\$208,658

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

Changes in burden have dropped due to fewer walrus, sea otters, and polar bears being harvested in the last three years. The cost estimate to the federal government has also dropped as there is now only one biologist working on MTRP full time and one working part time. Travel has thus gone down as only one person is doing MTRP travel. Tagger payments and supplies have remained the same.

The only changes made to the certificate books have been made to FWS Form 3-2414 "Polar Bear tagging Certificate" (see question 2).

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.

We tabulate the results quarterly, for management purposes. Along with population census data, we make a determination if a population is depleted as defined in the MMPA. On occasion, we present summarized information at both internal and external technical and scientific meetings.

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

We will display the OMB control number and expiration date.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement.