

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Pacific Islands Region Seabird-Fisheries Interaction Recovery Reporting
OMB Control No. 0648-0456

Abstract

This request is for revision and extension of a currently approved information collection. Two minor revisions were made to the Recovery Data Form based on comments for the U.S. Fish & Wildlife Service: On page 1 of the form, the statement “If a photo is taken, attach to form when submitted.” was added to the Photograph field; on the bottom of page 2 instruction was added to submit the form and photo (if taken) to U.S. Fish & Wildlife by email.

Mitigation measures to reduce interactions between seabirds and the Hawaii-based pelagic longline fisheries require that longline vessel operators notify the National Marine Fisheries Service, the U.S. Fish and Wildlife Service (FWS), or the U.S. Coast Guard if an endangered short-tailed albatross (STAL) is hooked or entangled during fishing operations. Following an incidental take and capture, Federal regulations require that vessel operators record information on dead or injured STALs using a Short-tailed Albatross Recovery Data Form. The information is used by veterinarians to advise vessel operators caring for injured STALs. If the albatross is dead, in addition to filling out the Short-tailed Albatross Recovery Data Form, the vessel operator must return all STAL carcasses to FWS. Each dead specimen must have an identification/information tag attached directly to the carcass and the specimen bag to assist the FWS biologists in follow-up studies. This collection is one of the terms and conditions contained in a biological opinion issued by FWS.

Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

Federal regulations at [50 CFR 665.815\(b\)](#) require Hawaii longline fishermen to safely handle and release short-tailed albatrosses (*Phoebastria albatrus*) (STAL) caught incidentally during fishing operations. The regulations also require vessel operators to record, for any interaction with a STAL, the date, time, location, any tag data, and injury and health descriptions on a Short-tailed Albatross Recovery Data Form. This collection-of-information fulfills that requirement.

2. 1 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.

If a STAL is hooked or entangled by a Hawaii longliner, 50 CFR 665.815(b) requires that injured or dead STALs be brought on board the vessel. Additionally, the captain must: (a) contact NMFS, the U.S. Coast Guard (USCG), or USFWS immediately; (b) complete a Short-tailed Albatross Recovery Data Form; and (c) attach identical information tags to the carcass and specimen bag if the STAL is dead and turn over the carcass to USFWS within 72 hours of returning to port.

Once notified, one of the agencies will arrange ship-to-shore dialogue with a veterinarian. The information recorded by the vessel operator on the Short-tailed Albatross Recovery Data Form will provide the veterinarian with a report of the injured STAL condition. Additionally, the form will serve as a record for USFWS if a dead STAL is returned to port and turned over to USFWS.

There has been no report or observation of a STAL incidentally taken by Hawaii-based longliners. Estimates of the burden to fishermen are based on a January 6, 2012, BiOp that estimated a take of three STAL every five years.

As explained in the preceding paragraphs, the information gathered has utility. NMFS, USFWS and USCG will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. This information collection is designed to yield data that meet all applicable information quality guidelines. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications. Should NMFS, USFWS, or USCG decide to disseminate the information, it will be subject to the quality control measures and 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 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.

Most communications between at-sea Hawaii longliners and NMFS are by telephone (i.e., marine operator), single side-band radio, or through a satellite telephone. Some Hawaii longliners may also communicate through vessel monitoring system (VMS) units by voice or email; however, the majority of longliners lack on-board computers needed to enable VMS units for ship-to-shore messaging. USFWS will accept email submission of the form at pifwo_admin@fws.gov.

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 Question 2

NMFS carefully considered whether there were other collections by USFWS or other Federal agencies that might meet the information needs presented above. We concluded that no other collections would meet the at-sea notification, recovery data collection, or specimen identification requirements.

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

All of the vessels in the Hawaii-based longline fishery are small business entities of similar sizes and are affected comparably. No special measures are needed to accommodate different sized businesses. Only a minimum amount of data are collected through this program.

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 this information is not collected, fishermen will not be in compliance with 50 CFR 665.815(b). Also, without this collection, the ability of NMFS and USFWS to effectively respond to any potential take of a STAL in the Hawaii longline fisheries would be compromised.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with OMB guidelines.

This collection is consistent with the OMB guidelines, except that its frequency may exceed the minimum quarterly reporting schedule. This is because the collection is varied and unscheduled; its implementation requires immediate action and use of the information.

8. If applicable, provide a copy and identify the date and page number of publications 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 describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

A *Federal Register* notice published on April 21, 2021 ([86 FR 20663](#)), solicited public comments. No public comments were received.

Additionally, NMFS also solicited comments from USFWS 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.

Comment 1: No comment on the form. Suggested an edit to the supporting statement.

Response 1: NMFS corrected Nation to National in Item 1.

Comment 2: USFWS staff suggested adding some text to the form regarding any photograph that may be submitted with the form, although a photograph is not required. They also provided an email address to submit the form.

Response 2: The form was edited per their suggestions.

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

No payments or gifts are involved in this collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

As stated on the Short-tailed Albatross Recovery Data Form, data provided concerning the vessel operators are handled as confidential under Section 402b of the Magnuson-Stevens Fishery Conservation and Management Act and [NOAA Administrative Order 216-100](#). Federal agencies are prohibited from releasing personal and proprietary information to the public.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or 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.

No questions of a sensitive nature will be asked in this data collection.

12. Provide estimates of the hour burden of the collection of information.

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)
Pacific Islands Region Seabird-Fisheries Interaction Recovery Reporting	Vessel Operator	1	1	1		1.25	25.61	\$32.01
Short-tailed Albatross Recovery Data Form					1			
Agency notification					0.25			
Totals				1		1.25		\$32.01

Vessel operators (aka vessel captains) considered to be First-line Supervisors of Farming, Fishing, and Forestry Workers. See: <https://www.bls.gov/oes/current/oes451011.htm>

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

Information Collection	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c)=(a) x (b)	Cost Burden / Respondent (h)	Total Annual Cost Burden (i) = (c) x (h)
Pacific Islands Region Seabird-Fisheries Interaction Recovery Reporting	1*		1		\$0
Short-tailed Albatross Recovery Data Form				\$0	
Agency notification				\$0	
TOTALS			1		0

The notification may be made by marine telephone, radio, email, or satellite telephone, depending on what means are already available to the vessel operator. The report form may be submitted via email to USFWS. Mailing or faxing is not necessary and not encouraged. The costs were estimated at \$0 because NMFS is not requiring that the respondent acquire new equipment or services to submit the responses. They may use whatever means they already have available.

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.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight					
USFWS Fish and Wildlife Biologist	GS12	\$90,556	1.0		\$905.56
Contractor Cost					
Travel					
Other Costs					
TOTAL		\$90,556		0	\$905.56

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

The following tables show the changes and in the number of respondents, responses, time estimates, labor costs, and miscellaneous costs; and explains the reasons for these changes.

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	
Pacific Islands Region Seabird-Fisheries Interaction Recovery Reporting	1	1	1	1	1.25	3	Burden decreased as a result of an error in the previous submission. Previous submission indicated 1 hour

							each per activity of the response (form, notification, tagging) rather than indicating one hour total response time.
Total for Collection	1	1	1	1	1	3	
Difference	0		0		-2		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Pacific Islands Region Seabird-Fisheries Interaction Recovery Reporting	\$32.01	0	0	80	Anticipated cost decrease as the office is still currently closed and not processing mail or fax, and NMFS anticipates any submissions to occur via email going forward. Labor costs not previously calculated.
Total for Collection	\$32.01	0	0	\$80	
Difference	+\$32.01		-\$80		

Two minor revisions were made to the Recovery Data Form based on comments for the U.S. Fish & Wildlife Service: On page 1 of the form, the statement “If a photo is taken, attach to form when submitted.” was added to the Photograph field; on the bottom of page 2 instruction was added to submit the form and photo (if taken) to U.S. Fish & Wildlife by email. This does not affect the burden response time.

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.

NMFS does not plan a publication based on this collection of information at this time.

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 current expiration date will be displayed on the first page of the recovery form.

18. Explain each exception to the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

The agency certifies compliance with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).