

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Limits on Application of Take Prohibitions**  
**OMB Control No. 0648-0399**

**Abstract**

This is a request for extension of an approved information collection. Section 4(d) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 et. seq.) requires the National Marine Fisheries Service (NMFS) to adopt such regulations as it “deems necessary and advisable to provide for the conservation of” threatened species. Those regulations may include any or all of the prohibitions provided in section 9(a)(1) of the ESA, which specifically prohibits “take” of any endangered species (“take” includes actions that harass, harm, pursue, kill, or capture). On July 10, 2000, NMFS adopted a rule prohibiting the take of 14 groups of salmon and steelhead listed as threatened under the ESA (65 FR 42422, 50 CFR 223.203). On June 28, 2005, January 5, 2006, February 11, 2008, and September 25, 2008 NMFS issued final listing determinations and protective regulations for 26 threatened and endangered salmon and steelhead species (70 FR 37160, 71 FR 834, 73 FR 7816, 73 FR 55451). The protective regulations extended the 4(d) rule to all 23 threatened salmonid species.

**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.**

The salmon and steelhead 4(d) rule applies the prohibitions of section 9(a)(1) of the ESA to the threatened salmonid species listed in the rule, but imposed certain Limits on those prohibitions. The final regulations at [50 CFR 223.203](#), as well as online information posted at <https://www.fisheries.noaa.gov/west-coast/endangered-species-conservation/endangered-species-act-permits-and-authorizations-west>, describe 14 programs or circumstances that contribute to the conservation of, or are being conducted in a way that adequately limits impacts on, listed salmonids. Certain of these 14 “Limits” on the take prohibitions entail voluntary submission of a plan(s) to NMFS and require annual or occasional reports by entities wishing to take advantage of these Limits, or continue within them. Limits 1 and 2 under 4(d) do not involve the collection of information. Limits 8, 9, 11, 12, and 13 are no longer used. A brief description of the Limits that may involve the collection of information follows.

Limit 3 – Rescue and Salvage Actions: This Limit relieves certain agency (including tribes) and official personnel (or their designees) from the take prohibitions when they are acting to: (1) aid a sick, injured, or stranded salmonid, (2) to dispose of a dead salmonid, or (3) to salvage a dead salmonid for scientific study. Each agency acting under this Limit on the take prohibition must annually report to NMFS on the numbers of fish handled and their status.

Limit 4 – Fishery Management: Fishery Management Plans are mainly used by states. The state would prepare a plan that addresses fishery harvest and submits it to NMFS. NMFS evaluates the plan for its

completeness and impact on the listed species and agrees or disagrees with the action. If NMFS disagrees, the plan is returned to the state for revision. If NMFS agrees, the plan is approved.

Limit 5 – Artificial Propagation: The artificial propagation Limit of the 4(d) rule provides a way to continue to conserve listed species while implementing a variety of hatchery purposes. To qualify for limitation on take prohibitions under Limit 5, a state or Federal hatchery management agency must develop a Hatchery and Genetics Management Plan (HGMP) that meets the criteria of Limit 5 and seek NMFS' approval of the plan. Some of the benefits of the HGMP approach are long-term management planning, more public involvement, and less government paperwork.

Limit 6 – Limits on the Take Prohibitions for Joint Tribal/State Plans Developed under the United States v. Washington or United States v. Oregon Settlement Processes: Non-tribal salmonid management in the Puget Sound and Columbia River areas is influenced by the fishing rights of numerous Indian tribes and must be responsive to the court proceedings that interpret and define those tribal rights. Various orders of the United States v. Washington court—such as the Puget Sound Salmon Management Plan (originally approved by the court in 1977; amended in United States v. Washington, 626 F. Supp. 1405, 1527 (1985, W.D.Washington))—mandate that many aspects of fishery management, including, but not limited to, harvest and artificial production actions be jointly coordinated by the State of Washington and the Western Washington Treaty tribes. The State of Washington, affected tribes, other interests, and affected Federal agencies are all working toward an integrated set of management strategies and strictures that will respond to the biological, legal, and practical realities of salmonid issues in Puget Sound. Similar principles apply in the Columbia River basin where the states of Oregon, Washington, and Idaho and five treaty tribes work within the framework and jurisdiction of the United States v. Oregon decision.

Limit 7 – Scientific Research Activities Conducted by The States: Research activities involving listed salmonids have typically been authorized solely in the context of the ESA's section 7 and section 10 processes. While these processes remain valid (and in many cases necessary) pathways for researchers, the new "Research Limit" is significant in that it provides both NMFS and the state fishery agencies with a way to streamline the ESA's traditional authorization processes in a manner that allows the state fishery agencies to maintain key oversight and coordination roles. Specifically, coverage under the Limit (Limit 7) requires that the state fishery agencies either conduct or oversee research/monitoring efforts, or become involved in coordinating those efforts. In addition, compliance with the Limit will require that the state fishery agencies submit annual reports describing research-related take for each of the affected salmonid species. These provisions have intentionally been crafted to provide state fishery agencies with considerable discretion in determining eligibility under the Research Limit. However, they also underscore the fact that NMFS and the state fishery agencies will share the responsibility of ensuring that authorized research involving listed salmonids is both coordinated and conducted in a manner that prevents overutilization of the resource. NMFS works closely with the state fishery agencies to develop a 4(d) research review process that adapts existing state permit processes to the ESA's accountability requirement for research-related take of listed species.

Limit 10 – Routine Road Maintenance: This Limit is available to any city, state, county or port or regional government therein, provided that: (1) maintenance activities are conducted by the employees or agents of the state or any county, city, or port under a program that is substantially similar to that contained in the Oregon Department of Transportation (ODOT) Guide or under a program that has been determined by NMFS to meet or exceed the protections provided by the ODOT guide, or that (2) maintenance activities are conducted by employees or agents of the State or any county, city, or port in a manner that has been found by NMFS to contribute to properly functioning habitat conditions for the threatened salmonid species considered in the rule. The city or county would need to prepare an

agreement detailing how it will assure adequate training and compliance with the ODOT or equivalent guidance, and describing any dust abatement practices it wishes to be within the Limit.

Limit 14 – Tribal Resource Management Plans: This Limit is available to any tribe, tribal member, tribal permittee, tribal employee, or tribal agent provided the Secretary determines their action will not appreciably reduce the likelihood of survival and recovery of that species. The applicant would prepare a plan that addresses fishery harvest, artificial propagation, research, or water or land management and submit it to NMFS. NMFS evaluates the plan for its completeness and impact on the listed species and agrees or disagrees with the action. If NMFS disagrees, the plan is returned to the applicant for revision.

**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.**

NOAA Fisheries will review plans submitted to determine whether they provide sufficient biological protections to warrant not applying the take prohibitions to activities governed by that plan. NOAA Fisheries' biologists will review the plans against the criteria associated with the applicable limit on take prohibitions. Those criteria have been carefully crafted to assure that plans meeting them will adequately limit impacts on threatened salmonids, such that additional protections in the form of a federal take prohibition are not necessary and advisable.

The annual reporting associated with approved Limits would aid NOAA Fisheries in understanding the cumulative impacts of each action on listed ESUs, and to determine whether additional protections are required to provide for the conservation of the species (or, alternatively, whether some additional limits on federal protections may be warranted). Annual reporting also provides NOAA Fisheries with the numbers of threatened salmonids being affected by such actions. This information is necessary as part of the tracking of the status of the affected threatened species.

Many plans/programs have been submitted to NOAA Fisheries since the rules first became effective (July 10, 2000, 65 FR 42422, and January 9, 2002, 67 FR 68725). NOAA Fisheries expects more programs to be submitted in the future. Reports are required for limits each year.

The practical utility of these submissions is that, assuming a plan or program is found to meet the criteria associated with the particular limit in the 4(d) rule, the state or other entity submitting the plan, and individuals acting in compliance with the plan, can carry on with their activity knowing that they are in full compliance with the ESA and need not be concerned with any possibility of ESA enforcement.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet 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 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.**

The 4(d) rule does not require any particular method of submission of plans or reports. However, many of the applications and plans are submitted electronically through email or online through a web-based system. NOAA Fisheries developed a web-based system for applicants to use in applying for Limit 7. The web-based system has helped streamline the application and authorization processes for the state fishery agencies, researchers, and NOAA biologists.

**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**

NOAA Fisheries has not identified any examples where the 4(d) rule involves duplication with other collections of information. This information collection is unique. As NOAA Fisheries gains experience with this approach to 4(d) protections, it is likely that many of the plans or reports submitted may serve to relieve the take prohibitions for an even broader range of listed species.

In the absence of 4(d) rules, NOAA Fisheries provides ESA coverage through section 10 research, enhancement, and incidental take permits with private entities, or through section 7 consultation with Federal agencies. The section 7 and section 10 processes have their own specific reporting requirements associated with them.

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

This collection will not have a significant economic impact or burden on small entities. Any economic impact of these rules flows from the application of the take prohibition in the first instance, which has no associated collection of information. To minimize any burden, NMFS has made information readily available online and has designated staff experts who can assist small businesses or other small entities interested in determining whether the 4(d) rule may be applicable in their situation.

Online resources available at [Endangered Species Act Permits and Authorizations on the West Coast](#) include the following: 4(d) Rule Implementation Binder; A Citizen's Guide to the NMFS 4(d) Rules; and agency contacts (including names, phone numbers, and geographic areas of expertise). In addition, the agency has posted guidelines and instructions online, and continues to develop online applications (e.g., the APPS - Authorizations and Permits for Protected Species - online system for scientific research) to reduce the burden on small businesses and entities affected by this collection.

**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 NMFS were not to provide the opportunity for entities to seek an exemption from the take 4(d) rules and take prohibitions, those entities would in all cases remain subject to the take prohibitions. Before embarking on activity that may impact threatened salmonids, those entities would need to assess the risk of actual take, and determine whether to seek an ESA exemption. Unless the entity procured an exemption under the 4(d) rules, a section 10 permit, or a completed ESA section 7 consultation, the entity would remain at risk of ESA enforcement for violation of the take prohibitions. Less than annual reporting would hinder NMFS' ability to monitor and conserve listed species.

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

The collection is consistent with Office of Management and Budget (OMB) guidelines and timelines except that we may require respondents to notify us when significant events take place (e.g., unexpected animal deaths or injuries, instances when the authorized take is exceeded, or the a species is taken that is not authorized by the approval). When such an event occurs, we typically require that the respondent notify us within two days. This allows us to respond quickly and act with the respondent to avoid significant and unanticipated impacts on listed species. This is the only time any information would be required more often than yearly.

**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 January 26, 2022 [87 FR 4002](#) soliciting public comments. No comments were received.

We also sought comments from state fish and wildlife agencies, other NMFS personnel, and Science Center personnel who collaborate with us in the scientific research permit effort. Their comments are below.

**From the Oregon Department of Fish and Wildlife:**

1. Are the online permit applications and reports easily available? **Yes**

*Response:* Thank you.

2. What is your impression of the frequency of collection? (Voluntary, one-time for applications, yearly for reports.) **Appropriate.**

*Response:* Thank you.

3. What is your impression of the clarity of instructions and record keeping, disclosure, and reporting format? **Appropriate and clear.**

*Response:* Thank you.

4. What is your impression of the information/data elements to be recorded, disclosed, or reported? **Necessary for program.**

*Response:* Thank you.

5. What is your impression of the accuracy of the estimated burden displayed below [see tables in answers to questions 12 and 14]? **Seems like 12 hours per application for applicants is appropriate and 40 hours for NOAA per permit is high- I don't think NOAA spends this much time on each permit response unless they are including time on BiOp here.**

*Response:* Thanks for the confirming the estimates, and yes, the 40 hours of response to the application does include the hours spent working on the biological opinions through which we analyze and, eventually, approve the proposed action.

**From the Washington Department of Fish and Wildlife:**

1. Are the online permit applications and reports easily available? **Yes, with the exception of the data fail last year (during the 4d limit 7 review period) where there was no operable back up in place.**

*Response:* Yes, the system outage was problematic, and it did have some impact on research permit applications and reports, but for our purposes here, we are not counting the increased workload it caused because we strongly believe it was a one-time thing only.

2. What is your impression of the frequency of collection? (Voluntary, one-time for applications, yearly for reports.) **Appropriate. Having the two application deadlines I think will prove advantageous in that it provides clearer timelines for approvals.**

*Response:* Thank you.

3. What is your impression of the clarity of instructions and record keeping, disclosure, and reporting format? **Appropriate and efficient.**

*Response:* Thank you.

4. What is your impression of the information/data elements to be recorded, disclosed, or reported? **Appropriate and efficient.**

*Response:* Thank you.

5. What is your impression of the accuracy of the estimated burden displayed below [see tables in answers to questions 12 and 14]? **Reasonable.**

*Response:* Thank you.

**From the Idaho Department of Fish and Game**

1. Is the online data (permit applications) easily available? **Yes**

*Response:* Thank you.

2. What is your impression of the frequency of collection? **Sufficient for the required purposes.**

*Response:* Thank you.

3. What is your impression of the clarity of instructions and record keeping, disclosure, or reporting format (if any)? **Staff at IDFG have found the electronic reporting to be very efficient.**

*Response:* Thank you.

4. What is your impression of the information/data elements to be recorded, disclosed, or reported? **My**

impression is that the information is relevant to the permits being issued.

*Response:* Thank you.

5. What is your impression of the accuracy of estimated burden listed below? **The reporting burden appears accurate.**

*Response:* Thank you.

#### **From the Northwest Fisheries Science Center**

1. Are the online permit applications and reports easily available? **Finding permits that include my name is straight forward and easy in the APPS system.**

*Response:* Thank you.

2. What is your impression of the frequency of collection? (Voluntary, one-time for applications, yearly for reports.) **Being well versed in the expectations, this frequency of interaction works well for us.**

*Response:* Thank you.

3. What is your impression of the clarity of instructions and record keeping, disclosure, and reporting format? **I wish the instructions were more obvious for each requested section when they are being filled out, but the separate document is comprehensive in its descriptions when you use [it] as a resource.**

*Response:* Thank you.

4. What is your impression of the information/data elements to be recorded, disclosed, or reported? **They seem like appropriate types of information. As a NOAA employee, the question regarding NOAA/federal funding for a project is always confounding. The take table can be difficult to navigate as it does not easily fit on a screen and there are many similar entry choices.**

*Response:* Thank you. We are currently working on making the take tables easier to handle in a number of respects--including eliminating redundant entry choices.

5. What is your impression of the accuracy of the estimated burden displayed below [see tables in answers to questions 12 and 14]? **I have no idea if this estimation table is accurate. However, it is unfortunate that modification requests take the same amount of time as new/renewal applications if the changes are not substantial. It is not always clear the extent of changes requested in a modification, and it seems a more streamlined process could be enacted.**

*Response:* Thank you, and yes, that can be frustrating, but unfortunately the modifications need to undergo the same public comment and the same analysis as new applications, so there is not much we can do beyond streamlining the process for everything—and we have been actively striving to do that for a number of years.

#### **From the California Department of Fish and Wildlife**

1. Are the online permit applications and reports easily available? **Yes. I found learning to APPS system to be easy and understandable. I can easily access most issued permits and reports and send links to colleagues/regional staff.**

*Response: Thank you.*

2. What is your impression of the frequency of collection? (Voluntary, one-time for applications, yearly for reports.) **As far as I can tell, it seems appropriate. Reporting on annual take activities when listed species are involved and getting a sense of who is involved in these activities is necessary.**

*Response: Thank you.*

3. What is your impression of the clarity of instructions and record keeping, disclosure, and reporting format? **I find the system to be clear and understandable. Additionally, the APPS help guide is extremely helpful. I use it frequently and send it to applicants because of the images and step-by-step instructions.**

*Response: Thank you. It is good to know you are finding it useful.*

4. What is your impression of the information/data elements to be recorded, disclosed, or reported? **Overall I think the information collected is great.**

*Response: Thank you.*

5. What is your impression of the accuracy of the estimated burden displayed below [see tables in answers to questions 12 and 14]? **I cannot say if the [burden information] is accurate.**

*Response: Thank you.*

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

No payment, gifts or remuneration are associated with these voluntary collections of information.

**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.**

There are no assurances of confidentiality associated with these voluntary collections of information. The information supplied would be a matter of public record.

**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 are asked.

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

The hour burden was estimated by polling frequent users of the salmon and steelhead 4(d) rule—largely NOAA fisheries personnel and staff from state fisheries agencies. The wage rate used comes from the Bureau of Labor and Statistics site (<https://www.bls.gov/bls/blswage.htm>). The query was for mean wage rates among wildlife biologists in Oregon (\$33.90/hour), Idaho (\$33.06/hour), Washington (\$36.10/hour), and California (\$37.19/hour)—these four figures were then averaged for those regions that have the same reporting requirements.

Information Collection	State or Basin	Type of Respondent (e.g., Occupational Title)	# of Respondents / year (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)	Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Limit 3 – Fish Rescue	OR, WA, ID, CA	Fisheries Biologists	13	1	13	4	52	\$35.06	\$1,823.12
Limit 4 – CA - FMEP Annual Reporting	CA	Fisheries Biologists	1	1	1	4	4	\$37.19	\$148.76
Limit 4 – CA - FMEP Development / Submission	CA	Fisheries Biologists	1	1	1	1,230	1,230	\$37.19	\$45,743.70
Limit 4 – ID - FMEP Development / Inseason Reporting/Submission of Annual Reports	ID	Fisheries Biologists	5	4	20	120	2,400	\$33.06	\$79,344.00
Limit 4 – OR - FMEP Development / Submission of Annual Reports	OR	Fisheries Biologists	5	5	25	120	3,000	\$33.90	\$101,700.00
Limit 4 – WA - FMEP Development / Submission of Annual Reports	WA	Fisheries Biologists	2	4	8	100	800	\$36.10	\$28,880.00
Limit 4, 6 and 14 - Puget Sound/Klamath Basins - Annual Reporting <sup>1</sup>	Puget Sound and Klamath basins	Fishery Biologists	50	3	150	104	15,600	\$36.12	\$563,472.00
Limit 4, 6 and 14 -	Puget Sound	Fishery Managers	103	1	103	624	64,272	\$45.85	\$2,946,871.20



Limit 7 - State Research Programs - Applications	OR, WA, ID, CA	Fisheries Biologists	200	1	200	5	1,000	\$35.06	\$35,060
Limit 7 - State Research Programs - Modifications	OR, WA, ID, CA	Fisheries Biologists	20	1	20	2	40	\$35.06	\$1,402.40
Limit 7 - State Research Programs -Reports	OR, WA, ID, CA	Fisheries Biologists	200	1	200	3	600	\$35.06	\$21,036
Limit 10 - OR - 5-year plan submission	OR	Fisheries Biologists and Engineers	1	0.2	0.2	800	160	\$40.00	\$6,400.00
Limit 10 - OR - Annual Reporting	OR	Fisheries Biologists and Engineers	1	1	1	40	40	\$40.00	\$1,600.00
Limit 10 - CA - Annual Reporting	CA	Fisheries Biologists	1	1	1	4	4	\$37.19	\$148.76
Limit 14 - CA - Annual Reporting	CA	Fisheries Biologists	1	1	1	8	8	\$37.19	\$297.52
<b>Totals</b>					<b>1,140</b>		<b>167,872</b>		<b>\$8,066,120.24</b>

<sup>1</sup> - Some of the West Coast Regional offices found it difficult to separate the limits. There is considerable overlap between the Limits and some action types may be covered by one limit in part of the Region, but covered by a different limit elsewhere in the Region.

**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).**

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection—nor are there any recordkeeping costs as submissions are electronic.

**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
<b>Federal Oversight</b>	ZP-4	\$ 224,086.50	63.25%		\$ 141,734.71
Biologist	ZP-3 (12)	\$ 127,042.50	100% (12)		\$ 1,524,510.00
Biologist	ZP-2 (3)	\$ 92,316.00	100% (3)		\$ 276,948.00
Biologist	ZP-4	\$ 179,511.80	90%		\$ 161,560.62
Admin	ZA-2	\$ 92,316.00	25%		\$ 23,079.00
Attorney	ZA-5	\$ 255,798.00	15%		\$ 38,369.70
Attorney	ZA-4	\$ 200,596.50	10%		\$ 20,059.65
NEPA Specialist	ZA-3	\$ 154,764.00	25%		\$ 38,691.00
NEPA Specialist	ZA-5	\$ 226,282.50	25%		\$ 56,570.63
Research Specialist	ZA-5	\$ 242,680.50	10%		\$ 24,268.05
<b>Contractor Cost</b>		\$ 202,885.20	100%		\$ 202,885.20
<b>Travel</b>					\$ 3,500.00
<b>Other Costs:</b>					\$ -
<b>TOTAL</b>					<b>\$ 2,512,176.56</b>

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

Several things have changed since the last report, but almost all of those changes are adjustments and recalculations due to four main factors:

- (1) We changed the wages for respondents and Federal employees to more accurately reflect the market;
- (2) With the recent merger of the NW and SW regions into one West Coast Region we have done a comprehensive assessment of how the 4(d) rules are being used throughout West Coast;
- (3) Some parts of the 4(d) rule have not been used in several years and we do not anticipate any submissions under them in the future;
- (4) The previous requirements for the supporting statement did not include the same level of detail for the public burden and cost to government;
- (5) We essentially have limited overhead due to going paperless, by limiting travel, by conducting all business through online platforms and email; and
- (6) We are accounting for different types of respondents (managers, attorneys, and contractors).

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	
Research and other applications	N/A	227	N/A	227	N/A	715	ICR previously aggregated incorrectly. This renewal does not include any new/ revised requirements, but new ICs are being created to show burden by limit and increase transparency for collection. Recent merger of the Southwest and Northwest Regions prompted a comprehensive re-assessment of how the 4(d) rules are being used. The Northwest Region maintains this collection and did not previously include the Southwest region in the assessment, hence a significant increase in burden.
Annual Reports	N/A	100	N/A	100	N/A	200	
Reports of aided/rescued salmon	N/A	4	N/A	4	N/A	20	Recent merger of the Southwest and Northwest Regions prompted a comprehensive re-assessment of how the 4(d) rules are being used. The Northwest Region maintains this collection and did not previously include the Southwest region in the assessment, hence a significant increase in burden.
Limit 3 - Fish Rescue	13	N/A	13	N/A	52	N/A	
Limit 4 - CA - FMEP Annual Reporting	1	N/A	1	N/A	4	N/A	
Limit 4 - CA - FMEP Development / Submission	1	N/A	1	N/A	1,230	N/A	
Limit 4 - ID - FMEP Development / Inseason Reporting/Submission of Annual	5	N/A	20	N/A	2400	N/A	

Reports						
Limit 4 - OR - FMEP Development / Submission of Annual Reports	5	N/A	25	N/A	3,000	N/A
Limit 4 - WA - FMEP Development / Submission of Annual Reports	2	N/A	8	N/A	800	N/A
Limit 4, 6 and 14 - Puget Sound/Klamath Basins - Annual Reporting <sup>1</sup>	50	N/A	150	N/A	15,600	N/A
Limit 4, 6 and 14 - Puget Sound/ Klamath Basins - Development of RMP	103	N/A	103	N/A	64,272	N/A
Limit 4, 6 and 14 - Puget Sound/Klamath Basins - Submittal of RMP	5	N/A	5	N/A	750	N/A
Limit 4, 6, and 14 - Puget Sound/Klamath Basins - Litigation Assistance	20	N/A	100	N/A	41,600	N/A
Limit 5 - CA - HGMP Annual Reporting	2	N/A	4	N/A	32	N/A
Limit 5 - CA - HGMP Development / Submission	1	N/A	1	N/A	2,080	N/A
Limit 5 and 6 - ID - RMP/HGMP Development / Submission of Annual Reports	30	N/A	150	N/A	18,000	N/A
Limit 5 and 6 - OR - RMP/HGMP Development / Submission of Annual Reports	20	N/A	60	N/A	7,200	N/A
Limit 5 and 6 - WA - RMP/HGMP Development / Submission of Annual Reports	20	N/A	60	N/A	7,200	N/A
Limit 6 - Fisheries - Columbia River Basin	5	N/A	15	N/A	1,800	N/A
Limit 7 - State Research Programs - Applications	200	N/A	200	N/A	1,000	N/A
Limit 7 - State Research Programs - Modifications	20	N/A	20	N/A	40	N/A
Limit 7 - State Research Programs - Reports	200	N/A	200	N/A	600	N/A
Limit 10 - OR - 5-year plan submission	1	N/A	.2	N/A	160	N/A
Limit 10 - OR - Annual Reporting	1	N/A	1	N/A	40	N/A
Limit 10 - CA - Annual Reporting	1	N/A	1	N/A	4	N/A
Limit 14 - CA - Annual Reporting	1	N/A	1	N/A	8	N/A
<b>Total for Collection</b>	<b>707</b>	<b>331</b>	<b>1,140</b>	<b>331</b>	<b>167,872</b>	<b>935</b>
<b>Difference</b>	<b>376</b>		<b>809</b>		<b>166,937</b>	

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Research and other applications	N/A	N/A	N/A	360	All responses anticipated via electronic submission. Labor costs not previously estimated.
Annual Reports	N/A	N/A	N/A	200	
Reports of aided/rescued salmon	N/A	N/A	N/A	20	
Limit 3 - Fish Rescue	\$1,823.12	N/A	0	N/A	
Limit 4 - CA - FMEP Annual Reporting	\$148.76	N/A	0	N/A	
Limit 4 - CA - FMEP Development / Submission	\$45,743.70	N/A	0	N/A	
Limit 4 - ID - FMEP Development / Inseason Reporting/Submission of Annual Reports	\$79,344.00	N/A	0	N/A	
Limit 4 - OR - FMEP Development / Submission of Annual Reports	\$101,700.00	N/A	0	N/A	
Limit 4 - WA - FMEP Development / Submission of Annual Reports	\$28,880.00	N/A	0	N/A	
Limit 4, 6 and 14 - Puget Sound/Klamath Basins - Annual Reporting <sup>1</sup>	\$563,472.00	N/A	0	N/A	
Limit 4, 6 and 14 - Puget Sound/ Klamath Basins - Development of RMP	\$2,946,871.20	N/A	0	N/A	
Limit 4, 6 and 14 - Puget Sound/Klamath Basins - Submittal of RMP	\$34,387.50	N/A	0	N/A	
Limit 4, 6, and 14 - Puget Sound/Klamath Basins - Litigation Assistance	\$2,960,672.00	N/A	0	N/A	
Limit 5 - CA - HGMP Annual Reporting	\$1,190.08	N/A	0	N/A	
Limit 5 - CA - HGMP Development / Submission	\$77,355.20	N/A	0	N/A	
Limit 5 and 6 - ID - RMP/HGMP Development / Submission of Annual Reports	\$595,080.00	N/A	0	N/A	
Limit 5 and 6 - OR - RMP/HGMP Development / Submission of Annual Reports	\$244,080.00	N/A	0	N/A	
Limit 5 and 6 - WA - RMP/HGMP Development / Submission of Annual Reports	\$259,920.00	N/A	0	N/A	
Limit 6 - Fisheries - Columbia River Basin	\$59,508.00	N/A	0	N/A	
Limit 7 - State Research Programs - Applications	\$35,060	N/A	0	N/A	
Limit 7 - State Research Programs -	\$1,402.40	N/A	0	N/A	

Modifications				
Limit 7 - State Research Programs -Reports	\$21,036	N/A	0	N/A
Limit 10 - OR - 5-year plan submission	\$6,400.00	N/A	0	N/A
Limit 10 - OR - Annual Reporting	\$1,600.00	N/A	0	N/A
Limit 10 - CA - Annual Reporting	\$148.76	N/A	0	N/A
Limit 14 - CA - Annual Reporting	\$297.52	N/A	0	N/A
<b>Total for Collection</b>	\$8,066,120	<b>N/A</b>	<b>0</b>	<b>580</b>
<b>Difference</b>	8,066,120		-580	

**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.**

Although NMFS uses the information in each submission, we do not have plans to publish it. Although, some respondents may publish the results of their projects once they are complete. During the project, NMFS uses information from annual reports to monitor activities approved under the 4(d) rules and ensure that they meet the requirements stated in determination documents and Biological Opinions that are the approving instruments for the exemptions to the take prohibitions. In addition, NMFS and the Science Centers use some of the information generated by the approved activities (e.g., such as research on abundance and productivity of salmonids) to better manage the species.

**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 expiration date will be displayed.

**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\(b\)\(3\)](#).