

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Pribilof Islands, Taking for Subsistence Purposes
OMB Control No. 0648-0699

Abstract

This request is for extension of a currently approved information collection for the annual subsistence use male northern fur seals (fur seals) by Alaska Natives (Pribilovians) residing in the communities of St. Paul and St. George, Alaska, under 50 CFR 216 part 216 subpart F (16 U.S.C. 1155). The subsistence use of fur seals is cooperatively managed by the National Marine Fisheries Service (NMFS) and the Tribal Governments of St. Paul and St. George Islands under § 119 of the Marine Mammal Protection Act, 16 U.S.C. 1388 (MMPA). NMFS established regulations regarding the maximum levels for the annual subsistence needs of the Pribilovians after direct consultation with the Tribal Governments of St. Paul and St. George Islands in Alaska and their respective local Native corporations. NMFS regulation creates independent fur seal subsistence seasons on St. Paul and St. George islands, limitations, restrictions, monitoring, and reporting. The regulations state that Pribilovians are responsible for reporting their subsistence needs and actual level of subsistence take. NMFS receives electronic copies of the fur seal subsistence use reports from the tribal governments of St. Paul and St. George annually, and posts these reports online (<https://www.fisheries.noaa.gov/alaska/marine-mammal-protection/northern-fur-seal-subsistence-harvest-estimates-and-reports>) and in the annual Alaska Marine Mammal Stock Assessment Report.

The only change requested is the changing of the collection title from “Annual Northern Seal Subsistence Harvest Reporting” to “Pribilof Islands, Taking for Subsistence Purposes.”

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 subsistence use of fur seals is cooperatively managed by the National Marine Fisheries Service (NMFS) and the Tribal Governments of St. Paul and St. George Islands under § 119 of the Marine Mammal Protection Act, 16 U.S.C. 1388 (MMPA). NMFS established regulations in 1985 at 50 CFR part 216 subpart F, Taking for Subsistence Purposes under the Fur Seal Act (16 U.S.C. 1155). However, an information collection to support those regulations for St. Paul and St. George Island sub-adult subsistence harvest season did not previously exist. In 2014, NMFS obtained a collection of information control number (79 FR 65327; November 4, 2014), reviewed and extended the control number in 2017 (82 FR 51218; November 3, 2017), updated the control number in 2019 (84 FR 52372; October 2, 2019), and corrected in 2020 (85 FR 15948; March 20, 2020). NMFS regulation creates independent fur seal subsistence seasons on St. Paul and St. George islands, various limitations, restrictions, monitoring and reporting. The regulations state that Pribilovians are responsible for reporting their subsistence needs and actual level of subsistence take. NMFS and the Tribal Governments have determined these maximum subsistence use levels will provide adequate food security and will provide flexibility to meet the local subsistence needs for the Pribilovians annually. Information collection remains necessary to

understand how these changes in the subsistence use regulations may affect fur seals and improve the communities' food security and ability to meet their subsistence needs.

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.

Annual northern fur seal subsistence use report

The Assistant Administrator is required to suspend or terminate the take of fur seals if determinations under § 216.72(f) or (g) are made. These determinations are made based on information collected from NMFS representatives and Pribilovians monitoring and reporting the subsistence use of fur seals. The Tribal and NMFS representatives from each island meet as Co-Management Councils regularly to share information and discuss cooperative management of the subsistence use of marine mammals under the co-management agreement. The collection of information includes dates, locations, and numbers of seals harvested and hunted with firearms and their sex, estimated ages of fur seals taken for subsistence, the extent of utilization of fur seals taken, and information from Pribilovian subsistence users regarding their hunting effort, number of seals struck and lost, number of seals struck and retrieved, and other information necessary for the Assistant Administrator to make determinations under § 216.72(f) & (g).

NMFS receives electronic copies of the northern fur seal subsistence use reports from the tribal governments of St. Paul and St. George annually. NMFS subsequently posts these reports online (<https://www.fisheries.noaa.gov/alaska/marine-mammal-protection/northern-fur-seal-subsistence-harvest-estimates-and-reports>) and includes the relevant data in the annual NOAA Technical Memorandum series, Fur Seal Investigations, and the annual Alaska Marine Mammal Stock Assessment Report. The Pribilovians will provide an additional annual report for their pup harvests (St. George and St. Paul) and hunting season (St. Paul). Therefore, NMFS anticipates receiving 2 annual subsistence use reports from St. George: one for the harvest of sub-adults and one for the harvest of pups. NMFS anticipates receiving a hunting report from the hunting season and two harvest reports from St. Paul Island annually: one for the harvest of juveniles in the harvest season and one for the harvest of pups in the harvest season.

The sub-adult male harvest reports from the tribal governments of St. Paul and St. George have included the following information: 1) number, sex, and dates of fur seals harvested, 2) methods of gathering and herding of fur seals during the harvesting period, 3) environmental conditions, 4) cases of death due to hyperthermia, 5) occurrence of adult male and females fur seals harvested, 6) occurrence of flipper-tagged fur seals, 7) number of fur seals entangled in marine debris and the number of seals disentangled, 8) health status of fur seals and oil contamination of pelts, 9) incidence of by-products and waste during the harvest process, 10) research conducted during the harvest and visitors requesting to view the harvest. NMFS expects future reports will contain the same information, and NMFS anticipates that the information provided in the reports will include the information necessary to make determinations under 50 CFR 216.72(f) and (g).

NMFS has received the annual subsistence use reports from both tribal governments via the co-management process for the past decade. The information collected will be disseminated to the public or used to support publicly disseminated information. NMFS 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 to Question 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.

This collection consists of reports submitted by the tribal governments which may be submitted as an attachment to an email. Instructions are provided through the cooperative agreement and grant process and distributed in the communities.

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

None of the information collected as part of this information collection duplicates other collections.

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

The taking of northern fur seals on the Pribilof Islands, Alaska, is for subsistence uses only. This action directly regulates the subsistence use of northern fur seals by Alaska Natives in the communities of St. George and St. Paul. The action regulates only the practices and behavior of individual subsistence fur seal hunters/harvesters on St. Paul and St. George Islands, none of whom meet the definition of ‘small entity’ under SBA criteria.

This action would have no adverse economic impact and may provide a net benefit for the communities of St. George and St. Paul Islands. The community members of St. Paul and St. George now have the opportunity to re-initiate cultural traditions, and members of both communities will have improved opportunities to obtain fresh subsistence foods, improve their food security up to the fixed, maximum subsistence use levels.

The subsistence hunting and harvesting of fur seals provides a local source of fresh meat for the communities’ consumption. Fresh meat is commercially unavailable on St. George and St. Paul Islands; subsistence hunting and fishing are the primary means by which the communities meet their dietary needs. No other fish or wildlife species are predictably available to replace fresh fur seal meat. Replacement of the fur seal meat with livestock meat that is shipped to the Islands is expensive and only available when air and barge service can deliver it frozen. In addition, marine mammals such as fur seals are the preferred meat resource for Pribilovians.

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.

This action is necessary to improve recordkeeping and reporting efficiency and to improve the quality of data obtained by the Alaska Native tribes for northern fur seal management purposes. If this collection

were not conducted, NMFS estimates of direct sources of human-caused mortality would be significantly compromised. NMFS ability to implement subsistence use management would be compromised. NMFS ability to confirm the compliance with subsistence use restrictions would be impossible. NMFS ability to estimate the potential effects of subsistence use on the ability of the population to recover would suffer from increased uncertainty and decreased ability to implement science-based management measures.

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

The information collection is consistent with OMB guidelines.

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 was published on August 10, 2022 (87 FR 48648) that solicited public comments. No comments were received from the *Federal Register* notice. In addition to the *Federal Register* notice, NMFS contacted stakeholders 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, and on the data elements to be recorded, disclosed, or reported. No comments were received from the stakeholders.

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

This action requires the collection of information about the annual subsistence use of northern fur seals on St. George and St. Paul Islands. NMFS funding through the Alaska Native Co-management Funding Program provides the opportunity for both the St. George Island Traditional Council and the Aleut Community of St. Paul Island, Tribal Government to apply for grant funds to support subsistence use monitoring and reporting. Both tribal governments have received funding in the past from NMFS to report the subsistence harvests of northern fur seals, and continue to submit annual funding proposals under the Alaska Native Co-management Funding Program.

No payment or gift is provided under this program.

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.

The information collected is neither confidential nor Personal Identifiable Information.

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 information is being collected that is of a sensitive nature or private.

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

Information Collection	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)
Subsistence Harvest Report	Biological Scientist (19-1020)	2	2	4	40	160	\$39.75	6,360
Subsistent Hunt Report	Biological Scientist (19-1020)	1	1	1	40	40	\$39.75	1,590
Totals				5		200		7,950

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 costs or operating and maintenance costs associated with this information collection. All responses expected via email.

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.

Review of the annual subsistence use reports takes approximately 16 hours per report to review, request revisions to draft report, reconcile revisions, confirm final report content, and post on NMFS website. Total 3-year cost is \$7,670.03

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	ZP2 Interval 02	67,281	0.038%		2,556.68
Other Federal Positions					
Contractor Cost					
Travel					0
Other Costs:					0
TOTAL				N/A	2,556.68

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

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	
Subsistence Harvest Report	2	NA	4	NA	160	NA	No change to anticipated burden but administrative change to combine two previous ICs into one overall Harvest Report IC
Harvest Report: Pups (St. George & St. Paul)	0	2	0	2	0	80	
Harvest Report: Juveniles or sub-adults (St. George & St. Paul)	0	2	0	2	0	80	
Subsistence Hunt Report	1	1	1	1	40	40	Change of IC title, no burden change.
Total for Collection	2	2	5	5	200	200	
Difference	0		0		0		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Subsistence Harvest Report	6,360	NA	0	NA	Labor costs not previously calculated. Reduction in misc. costs as only email responses expected going forward.
Harvest Report: Pups (St. George & St. Paul)		NA	0	16	
Harvest Report: Juveniles or sub-adults (St. George & St. Paul)		NA	0	8	
Subsistence Hunt Report	1,590	NA	0	8	Labor costs not previously calculated. Reduction in misc. costs as only email responses expected going forward.
Total for Collection	\$7,950	NA	0	32	
Difference	\$7,950		-32		

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.

Annually NMFS will review the northern fur seal subsistence use reports received from the tribal

governments of St. George and St. Paul Islands. If any revisions or corrections are identified by NMFS in the reports, NMFS will request the revised reports prior to their publication online by NMFS. In addition data extracted from the report will be referenced and used in the Alaska Marine Mammal Stock Assessment Reports.

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 subsistence use of fur seals report is not a form, and therefore will not show the expiration date.

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