

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Pacific Islands Short-tailed Albatross Recovery Data Form**  
**OMB Control No. 0648-0456**

**ABSTRACT**

This request is for a revision of a currently approved information collection. We request the current title be changed from Pacific Islands Region Seabird-Fisheries Interaction Recovery Reporting to Pacific Islands Short-tailed Albatross Recovery Data Form because it is a more accurate description of the collection and its purpose. Other changes to the form include removing the field for hook type as only one hook type is currently allowed in the fishery, collecting information on hook size, collecting more details about bird bands, and requesting more information about transportation of an injured bird. These changes will not affect burden estimates.

Federal regulations at 50 CFR 665.815(b) require that the operator of a vessel with a Hawaii longline limited access permit notify NMFS, the U.S. Coast Guard (USCG) or the U.S. Fish and Wildlife Service (USFWS) in the event an endangered short-tailed albatross (*Phoebastria albatrus*) or STAL is hooked or entangled during fishing operations. Following the retrieval of the albatross from the ocean, the vessel operator must record the condition of the bird on the recovery data form. A veterinarian will use the information to provide advice to the vessel operator for caring for the bird if it is alive. If the albatross is dead, the vessel operator must attach an identification tag to the carcass to assist USFWS biologists in follow-up studies on the specimen. This collection is one of the terms and conditions contained in the Endangered Species Act Section 7 biological opinion issued by USFWS, and is intended to maximize the probability of the long-term survival of short-tailed albatross accidentally taken by longline gear.

**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 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. 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 long liner, regulations require that injured or dead STALs be brought on board the vessel. Additionally, the captain must: (a) contact NMFS, the 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's condition. Additionally, the form will serve as a record for USFWS when 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 long liners since the establishment of this requirement in 2002 (67 FR 34408, May 14, 2002). 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 long liners and NMFS are by telephone or satellite telephone. Some Hawaii long liners may also communicate through vessel monitoring system (VMS) units by voice or email; however, the majority of long liners lack on-board computers needed to enable VMS units for ship-to-shore messaging. Tablets issued to vessel operators for electronic logbooks communicate via the VMS unit, but cannot be used for email. Some vessels are equipped with Starlink and may communicate via email. NMFS anticipates that if a STAL is hooked or entangled, the vessel operator would likely make the immediate contact to NMFS, USCG or USFWS via telephone or satellite phone. The Short-tailed Albatross Recovery Data Form is a fillable PDF, which facilitates its completion on a computer or tablet, and its submission via email.

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

NMFS and USFWS considered whether there were other collections by USFWS or other Federal agencies that might meet the information requirements 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 involves small businesses or other small entities, describe the 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 consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

If this information is not collected, fishermen will not be in compliance with 50 CFR 665.815(b) and 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 require the 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.**

NMFS published a *Federal Register* notice on July 16, 2024 ([89 FR 57877](#)), soliciting public comments. We received one comment during the open public comment period (Full public comment was uploaded to ROCIS for reviewing). We consulted with USFWS, the Western Pacific Fishery Management Council, and NMFS staff. We contacted the Hawaii Longline Association, State of Hawaii Division of Aquatic Resources, and others for comment. We received comments from USFWS, NMFS staff, and from one organization, American Bird Conservancy, which are summarized below along with NFMS responses.

Public Comment:

- Comment: We appreciate the opportunity to provide comments on the Pacific Islands Region Seabird-Fisheries Interaction Recovery Reporting. We want to first affirm that the

proposed information collection is necessary. Under the Endangered Species Act (ESA), NMFS is responsible for the protection, conservation, and recovery of listed species, like the Short-tailed Albatross. Continued data collection of Short-tailed Albatross fishery interactions will provide information that can be used to further species recovery. Additionally, we want to share ways to enhance the quality, utility, and clarity of the information to be collected via the “Short-tailed Albatross Recovery Data Form.” First, the “Time” box on the form should be changed to read “Time of Capture.” This small edit enhances clarity and improves reporting accuracy.

Response: Thank you very much for your extensive comments on our proposed extension of OMB collection 0648-0456, Pacific Islands Region Seabird-Fisheries Interaction Recovery Reporting. I shared your comments and suggestions with our partners at US Fish and Wildlife Service and the Pacific Islands Fisheries Science Center and we are working through potential changes to the seabird recovery reporting form and other related fisheries reporting forms.\_

#### USFWS:

- Comment: Recommended adding more details to band color and font fields in recovery data form section I. Capture Information.  
Response: Added.
- Comment: Suggested adding a row in section II. Assess Bird’s Condition to solicit details for transportation of bird to veterinarian and details and time of transportation.  
Response: Added.

#### NMFS Staff:

- Comment: Hook type unnecessary in recovery data form section I. Capture Information. All vessels required to use circle hooks.  
Response: Changed to request hook size only

#### American Bird Conservancy (ABC):

- Comment: Affirmed that the information collection is necessary.  
Response: We thanked ABC for their comments
- Comment: Label Time on the recovery data form as Time of Capture.  
Response: This section of the form is already titled I. Capture Information, so this change is not necessary.
- Comment: Add a section to the form describing the vessel’s fishing setup.  
Response: We note that details on fishing setup and operations are collected on longline log sheets and by NMFS-contracted observers. Observer coverage for shallow-set longline vessels is 100% and since STAL would most likely be encountered on shallow-set trips, we felt that observer data are adequate documentation for this purpose. No changes made to the form.
- Comment: Translate the form into other languages to reduce reporting barriers and improve accuracy.  
Response: We agree with the value of having translated documents since we have many non-English speakers among fishermen. We think the cost of translating and producing the recovery data form in different languages is probably not cost-effective because there

have been no interactions or reports to date. NMFS produces an extensive set of handling guidelines for our Protected Species Workshop (PSW) and these handouts are translated into Tagalog, Vietnamese, and Indonesian, the main languages used by many of the crew. The PSW guidelines have a section dedicated to seabird and STAL handling referencing the recovery data form. More information on the PSW, handouts, and video here: <https://www.fisheries.noaa.gov/pacific-islands/resources-fishing/pacific-islands-protected-species-workshops>.

- **Comment:** Expand Protected Species Workshop training to crews most likely to encounter short-tailed albatross.  
**Response:** In addition to the PSW, which is open to anyone, NMFS is training longline vessel crews. Although seabird handling is not specifically part of that training, translated PSW handouts, including information on seabird handling, are given to each crew member who attends the training. NMFS provides materials to vessel operators and crews in their own language.
- **Comment:** Consider applying technology to make it easier to process and submit the recovery data form.  
**Response:** NMFS supports using technology to make reporting faster and easier. All Hawaii longline vessels are required to use NMFS-provided computer tablets to submit electronic log sheets to NMFS, and the Observer Program is developing and testing electronic observer logs. While it would not be cost-effective to develop a specific electronic version of the recovery data form given the lack of demand, we note that the form is a fillable PDF, which facilitates its completion on a computer or tablet, and its submission via email to NMFS, USFWS, or USCG. No changes to form necessary.

**9. Explain any decisions to provide payments or gifts 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 assurance in statute, regulation, or agency policy.**

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 and attitudes, religious beliefs, and other matters that are commonly considered private.**

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

12. Provide an estimate in hours of the 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)
Short-tailed Albatross Recovery Data Form	Vessel Operator*	1	1	1	1	1	\$29.23	\$29.23
Agency notification	Vessel Operator*	1	1	1	0.25	0.25	\$29.23	\$7.31
<b>Totals</b>				<b>2</b>		<b>1.25</b>		<b>\$36.54</b>

\*Vessel operators (aka vessel captains) considered First-line Supervisors of Farming, Fishing, and Forestry Workers (Occupational Code: 45-1011). See, <https://www.bls.gov/bls/blswage.htm>

\*\* The respondent would be the vessel operator from one vessel, hence the respondent is actually only one (1) unique respondent.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).**

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 we are 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.**

The salary was determined using the FY24 CAPS Standard Pay Tables locality rate for Hawaii for a ZP-03 Interval 03 ([https://www.commerce.gov/sites/default/files/2024-01/CAPS\\_rpStandard\\_2024.pdf](https://www.commerce.gov/sites/default/files/2024-01/CAPS_rpStandard_2024.pdf)) and a 1.5 multiplier to calculate the loaded salary.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
<b>Federal Oversight</b>					
USFWS Fish and Wildlife Biologist	GS12	\$176,784	1.0		\$1,767
<b>Contractor Cost</b>					
<b>Travel</b>					
<b>Other Costs</b>					
<b>TOTAL</b>		<b>\$176,784</b>		<b>0</b>	<b>\$1,767</b>

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

Previously, the STAL Recovery Data Form and Agency Notification were combined in ROCIS. They were separated out at this renewal to provide clarity on the responses needed and burden. Agency notification is not a new requirement.

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

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 why 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.**

There are no exceptions for compliance with provisions in the certification statement. On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9 and the related provisions of 5 CFR 1320.8(b)(3).