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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R7-ES-2020-N006; FF07CMM00-178-FXES111607MRG01; OMB Control Number 1018-0070]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Incidental Take of Marine Mammals During Specified Activities

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the U.S. Fish and Wildlife Service (Service), are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at OIRA_Submission@omb.eop.gov; or via facsimile to (202) 395-5806. Please provide a copy of your comments to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS: PRB/PERMA (JAO/1N), 5275 Leesburg Pike, Falls Church, VA 22041-3803 (mail); or by email to Info_Coll@fws.gov. Please reference OMB Control Number

1018–0070 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Madonna L. Baucum, Service Information Collection Clearance Officer, by email at Info_Coll@fws.gov, or by telephone at (703) 358–2503. You may also view the ICR at <http://www.reginfo.gov/public/do/PRAMain>.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public’s reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

On November 7, 2019, we published a *Federal Register* notice soliciting comments on this collection of information for 60 days, ending on January 6, 2020 (84 FR 60107). We received the following comments in response to that *Federal Register* notice:

Comment 1: Comment from Jean Public, received via email on November 7, 2019. The commenter stated she was against killing polar bears but did not address the information collection requirements outlined in the notice.

Agency Response to Comment 1: No action required.

Comment 2: Comment from Peter O. Thomas, Ph.D., Executive Director, the Marine Mammal Commission (Commission), received via email on January 3, 2020. The Commission believes the information collection is necessary and

appropriate, and agrees the burden on respondents is reasonable.

The Commission encouraged the Service to direct applicants and letter of authorization (LOA) holders to submit information and reports, including marine mammal observational data sheets and raw sightings data, in electronic format. The Commission also encouraged the Service to make applications, LOAs, and reports submitted in compliance with section 101(a)(5) of the Marine Mammal Protection Act (MMPA) and its implementing regulations at 50 CFR part 18 available to the public in a timely manner on its website.

Agency Response to Comment 2: The Service currently provides for the electronic submission of information and reports and accepts such electronic information from applicants and LOA holders. We also allow for the submission of such information in paper format because electronic communications can, occasionally, be challenging in remote areas of Alaska. The Service also endeavors to provide information to the public on at least an annual basis both on its website and through Federal Register notices.

We are again soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) is the collection necessary to the proper functions of the Service; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Service enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Service minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: This information collection includes requirements associated with specified oil and gas industry activities and their incidental taking of polar bears, Pacific walruses, and northern sea otters in Alaska. The Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), imposed, with certain exceptions, a moratorium on the taking of marine mammals. Section 101(a)(5)(A) of the MMPA directs the Secretary of the Interior to allow, upon request by citizens of the United States, the taking of small numbers of marine mammals incidental to specified activities (other than commercial fishing) if the Secretary makes certain findings and prescribes specific regulations that, among other things, establish permissible methods of taking.

Applicants seeking to conduct activities must request a Letter of Authorization (LOA) for the specific activity and submit on-site monitoring reports and a final report of the activity to the Secretary. This is a nonform collection. Respondents must comply with the regulations at 50 CFR 18.27, which outline the procedures and requirements for submitting a request. Specific regulations governing authorized incidental take of marine mammals activities are contained

in 50 CFR 18, subparts J (Beaufort Sea) and K (Cook Inlet). These regulations provide the applicant with a detailed description of information that we need to evaluate the proposed activity and determine if it is appropriate to issue specific regulations and, subsequently, LOAs.

We use the information to verify the findings required to issue incidental take regulations, to decide if we should issue an LOA, and (if an LOA is issued) what conditions should be included in the LOA. In addition, we analyze the information to determine impacts to polar bears, Pacific walruses, northern sea otters, and the availability of those marine mammals for subsistence purposes of Alaska Natives.

Title of Collection: Incidental Take of Marine Mammals During Specified Activities, 50 CFR 18.27 and 50 CFR 18, Subparts J and K.

OMB Control Number: 1018–0070.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Oil and gas industry companies.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: None.

Type of Action	Number of Annual Respondents	Number of Responses Each	Total Annual Responses	Average Completion Time (Hours)	Total Annual Burden Hours
Polar Bear Den Detection Report					
Private Sector	4	1	4	50	200
Incidental Take of Marine Mammals - Final Monitoring Report					
Private Sector	20	1.25	25	10	250
Incidental Take of Marine Mammals - Onsite Monitoring and Observation Reports					

Private Sector	20	15	300	1.5	450
Incidental Take of Marine Mammals - Application for Regulations¹					
Private Sector	20	0.1	2	150	300
Incidental Take of Marine Mammals - LOA Requests					
Private Sector	20	1.25	25	24	600
Total	84		356		1,800

¹ Occurs once every 5 years.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Dated: April 3, 2020.

Madonna Baucum,

Information Collection Clearance Officer, U.S. Fish and Wildlife Service.

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