



Baucum, Madonna <madonna\_baucum@fws.gov>

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## Fwd: FWS LOA Information Collection

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**Campbell, Tina** <tina\_campbell@fws.gov>  
To: Christopher Putnam <christopher\_putnam@fws.gov>  
Cc: Madonna Baucum <madonna\_baucum@fws.gov>

Wed, Jan 11, 2017 at 2:51 PM

Good Afternoon,

I received the attached comment in response to the recently published 60-day notice on your information collection this morning. It will need to be addressed as part of completing Supporting Statement A when the 30-day notice is prepared.

If you have any questions, please let me know.

Tina

*Tina A. Campbell  
Chief, Division of Policy, Performance, and Management Programs  
U.S. Fish and Wildlife Service  
5275 Leesburg Pike, MS: BPHC  
Falls Church, VA 22041-3808  
Telephone: 703-358-2676  
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----- Forwarded message -----

From: **Phyllis Malloy** <PMalloy@mmc.gov>  
Date: Wed, Jan 11, 2017 at 12:41 PM  
Subject: FWS LOA Information Collection  
To: "tina\_campbell@fws.gov" <tina\_campbell@fws.gov>  
Cc: "Patrick\_Lemons@fws.gov" <Patrick\_Lemons@fws.gov>, Tiffini Brookens <TBrookens@mmc.gov>

Hi Ms. Campbell;

I have attached to this e-mail a letter entitled: "FWS LOA Info Collection" and I'm sending it to you on behalf of Dr. Rebecca Lent and Ms. Tiffini Brookens. Thanks and have a great rest of your day.

v/r

**Phyllis P. Malloy**

**Administrative Support Assistant**

**Marine Mammal Commission**

**An Independent Agency of the U.S. Government**

**4340 East-West Highway, Room 700 Bethesda, Maryland 20814-4498**

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**17-01-11, Campbell, FWS LOA info collection.pdf**

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# MARINE MAMMAL COMMISSION

11 January 2017

Ms. Tina Campbell  
Service Information Collection Clearance Officer  
U.S. Fish and Wildlife Service  
MS-BPHC  
5275 Leesburg Pike  
Falls Church, VA 22041-3803

RE: Proposed Information Collection 1018-0070

Dear Ms. Campbell:

The Marine Mammal Commission (the Commission) has reviewed the U.S. Fish and Wildlife Service's (FWS) notice (82 Fed. Reg. 3350) regarding an information collection request pertaining to oil and gas industry activities and the incidental taking of polar bears and Pacific walruses in the Beaufort and Chukchi Seas. The Commission has commented on similar previous information collections.

Section 101(a)5(A) of the Marine Mammal Protection Act (the MMPA) allows the Secretary of the Interior to authorize the taking of small numbers of marine mammals if the Secretary makes certain findings and prescribes regulations that establish permissible methods of taking. To make those findings, FWS must collect specific information from applicants, as outlined in 50 C.F.R. Part 18, subparts I and J (regulations regarding the non-lethal taking of marine mammals incidental to oil and gas exploration, development, and production activities for the Chukchi and Beaufort Seas, respectively). The Commission has reviewed the information collection notice, the regulations, and the specific information that would be requested of applicants and believes that the requested information is necessary to be able to evaluate incidental take applications and to determine whether or not to issue small take regulations and associated letters of authorization, as required under the MMPA. The Commission also has reviewed the activities identified by FWS as requiring information and the associated burden hour estimates and believes the estimates are appropriate and should not be burdensome. The Commission therefore supports FWS's information collection request.

To enhance the quality, utility, and clarity of the information collected, FWS should request that oil and gas industry companies submit information electronically (including both the applications and monitoring reports) and then make that information publicly accessible, barring any confidentiality concerns. The Commission suggested this improvement in its 26 February 2014 letter regarding the previous information collection. Although it does not appear that FWS implemented this suggestion, the Commission continues to believe that it would be prudent for FWS to do so. Further, making the information publically accessible is consistent with the manner in which the National Marine Fisheries Service handles its incidental take authorizations and regulations<sup>1</sup>.

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<sup>1</sup> See <http://www.nmfs.noaa.gov/pr/permits/incidental/>

Ms. Tina Campbell  
11 January 2017  
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The Commission appreciates the opportunity to provide comments on the referenced information collection request. Please contact me if you need additional information.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca J. Lent". The signature is fluid and cursive, with the first name "Rebecca" being the most prominent part.

Rebecca J. Lent, Ph.D.  
Executive Director

cc: Patrick Lemons, FWS Marine Mammals Management Office, Anchorage, Alaska