

**1 Supporting Statement A for
Paperwork Reduction Act Submission**

OMB Control Number 1018-0102

**Special Use Permit Application on
National Wildlife Refuges Outside Alaska
50 CFR 25.41, 25.61, 26.36, 27.71, 27.91, 27.97, 29.1, 29.2, 30.11, 31.2,
31.13, 31.14, 31.16, 32.2(1), and 43 CFR 5**

FWS Form 3-1383

Terms of Clearance: None.

1. Explain the circumstances that make the collection of information necessary.

The administration and uses of national wildlife refuges and wetland management districts are governed by the:

- National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee) (Administration Act), as amended by the National Wildlife Refuge System Improvement Act of 1997.
- Refuge Recreation Act of 1962 (16 U.S.C. 460k-460k-4) (Recreation Act).

The Administration Act consolidated all of the different refuge areas into a single National Wildlife Refuge System (System). It also authorizes us to permit public accommodations, including commercial visitor services, on lands of the System when we find that the activity is compatible and appropriate with the purpose for which the refuge was established. The Recreation Act allows the use of refuges for public recreation when it is not inconsistent or does not interfere with the primary purpose(s) of the refuge.

In our general refuge regulations, we provide for public entry for specialized purposes, including economic activities such as the operation of guiding and other visitor services on refuges by concessionaire or cooperators under appropriate contracts or legal agreements or special use permits (50 CFR 25.41, 25.61, 26.36, 27.71, 27.91, 27.97, 29.1, 29.2, 30.11, 31.2, 31.13, 31.14, 31.16, 32.2(l) and 43 CFR 5). These regulations provide the authorities and procedures for allowing permits on national wildlife refuges and wetland management districts outside the State of Alaska. We use the information that we collect on FWS Form 3-1383 (Special Use Application and Permit) to ensure that:

- The requested activities are compatible and appropriate with the purpose for which the refuge was established.
- The applicant is eligible and/or the most qualified applicant to receive the refuge special use permit.

2. Indicate how, by whom, how frequently, and for what purpose the information is to be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, explain how the collection complies with all applicable Information Quality Guidelines.

We will issue special use permits for a specific period as determined by the type and location of the use or visitor service provided. These permits authorize activities such as:

- Farming operations (haying and grazing, 50 CFR 29.2).
- Beneficial management tools that we use to provide the best habitat possible on some refuges (50 CFR 30.11, 31.14, and 31.16).
- Recreational visitor service operations (50 CFR 25.41 and 25.61).
- Commercial filming (50 CFR 27.71) and other commercial activities (50 CFR 29.1).
- Research and other noncommercial activities (50 CFR 26.36).

The likely respondents to this information collection are individual citizens, corporations that wish to conduct special use activities on a refuge, nonprofit organizations, educational institutions, and Federal, State, local, or tribal governments.

We collect the necessary information in form (FWS Form 3-1383) and nonform format (through discussions in person or over the phone, by e-mail, or by letter). In some instances, respondents will be able to provide information verbally. Often, a simple e-mail or letter describing the activity will suffice. For activities (e.g., commercial visitor services, research, etc.) that might have a large impact on refuge resources, we may require applicants to provide more detail on operations, techniques, and locations.

Many permittees provide services and facilities to the public. We issue permits for a specific period as determined by the type and location of the use or visitor service provided. We use this permit to ensure that the applicant is aware of the requirements of the permit and to ensure that the applicant is aware of his/her legal rights.

We use part of FWS Form 3-1383 as the application.

We ask for ...	So that we can ...
Name of the refuge	Determine where the activity will take place and what field station will receive and process the information.
Date of application	Determine chronological order when we receive multiple applications for similar uses.
Name of applicant, organization, address, phone number, fax number, and e-mail address	Contact the applicant during the application process or after issuing a permit.
Purpose of the activity	Determine if an activity is appropriate to be considered for a special use permit.
Description of the activity	Determine whether or not an activity is compatible, the impact on refuge resources, and if special conditions apply.
Signature and date	Confirm that the applicant understands the terms and conditions of the permit.

In addition to the above, we may ask applicants applying for a special use permit for research/monitoring activities to provide a copy of their research proposal.

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 [and specifically how this collection meets GPEA requirements].

FWS Form 3-1383 is the actual permit as well as the application; therefore, applicants cannot submit it electronically. The application will be available online in a fillable format. Because the application and permit are on the same form, review and approval by a refuge official will be necessary.

4. Describe efforts to identify duplication.

There is no duplication. The information is specific to the applicant and the use or activity proposed. We use applicable portions of original applications in the case of renewals.

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

This collection of information does not have a significant impact on a substantial number of small entities. Applicants submit the information for specific needs, and this information is not available from any other source. Small businesses from which we collect information are typically recreational visitor service operations (outfitters/guides), farming operations, commercial filming, and other commercial activities. We limit the information requested to the minimum necessary to:

- Establish eligibility;
- Protect resources;
- Demonstrate that applicants are aware of information they need to know to protect themselves from future legal and financial predicaments.

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.

Without the information requested, we would be unable to review the proposed uses and evaluate the impacts or effects of proposed uses on System lands. This would preclude our ability to fulfill statutory requirements and our responsibilities under the Administration Act, the Recreation Act, and other relevant laws and regulations to determine if the proposed activity or use meets refuge compatibility standards to evaluate the impact on uses of the refuge.

We collect the information on either an as-needed basis (one-time or one-season event) or an annual basis. Some special uses, such as haying and grazing, are beneficial management tools that we use to provide the best habitat possible on some refuges and wetland management districts. We could not accomplish these management objectives without the cooperation and involvement of private individuals. Special use permits provide us with a legal and binding document authorizing the use.

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

- * requiring respondents to report information to the agency more often than quarterly;
- * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- * in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- * requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

Other than collecting the information at the time a permit is needed, there are no circumstances that would require us to collect the information in a manner inconsistent with the OMB guidelines.

8. Provide the date and page number of publication 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 (or in response to a PRA statement) and describe actions taken by the agency in response to these comments.

Describe efforts to consult with persons 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 (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and phone numbers of persons contacted.]

On November 28, 2007, we published a notice in the Federal Register (72 FR 67313) announcing our intent to request renewal of this information collection. We solicited public comment for 60 days, ending on January 28, 2007. We received one comment.

The commenter did not address the information collection requirements, but stated that there should be no economic use on national wildlife refuges and requested a list of all permits granted in the past year. As stated in item 1 above, the Administration Act authorizes us to permit public accommodations, including commercial visitor services, on lands of the System when we find that the activity is compatible and appropriate with the purpose for which the refuge was established. No changes were made to the information collection requirements as a result of this comment. We do not maintain a consolidated list of special use permits. We encouraged the commenter to contact individual refuges to obtain the desired information and provided a website that lists contact information.

In addition to the [Federal Register](#) notice, we contacted the following individuals to obtain their views on: (1) whether or not the collection is necessary; (2) the accuracy of our burden estimates; (3) the clarity of instructions; and (4) ways to minimize the burden. All respondents indicated that the information we collect is necessary and appropriate, the burden estimate is accurate, and the burden is not excessive.

Ralph Buxton President, Kitty Hawk Sports PO Box 939 Nags Head, NC 27959 (252) 441-9200.	Brian Wignall Producer of Wonders of the West, Vegas PBS 4210 Channel 10 Dr. Las Vegas, NV 89119 (702) 368-4994
Nancy Hurd Cooperating Farmer Bombay Hook NWR (302) 653-7560	

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

We do not provide payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

We do not make any assurances of confidentiality. We do not make the information available to the public and share the information only with agencies having a legal interest.

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.

We do not ask questions of a sensitive nature.

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

We estimate that the total dollar value of the annual burden hours is \$455,568. Most respondents have access to required documentation and have personal knowledge of the requested information; however, some may need to conduct research to provide the requested information. We estimate that it takes an average of 1 hour to complete the application requirements to supply the needed information. We estimate that 14,225 applicants will submit one application each year. In the table below, hourly rates are based on 2006 national pay data from the Bureau of Labor Statistics. Benefits are calculated at 1.3 x the hourly rate.

Respondent	Annual Number of Responses	Completion Time per response	Hourly Rate	Hourly rate including benefits	Total Hours	Total \$ Value of Annual Burden Hours
Individuals and Households	2,845	1 hour	\$19.29	\$25.08	2,845	\$71,353
Private Sector	9,957	1 hour	\$26.26	\$34.13	9,957	\$339,832
State, local, or tribal govts.	1,423	1 hour	\$23.99	\$31.19	1,423	\$44,383
	14,225				14,225	\$455,568

Type of permit issued	Private Sector Occupations	Mean Hourly Rate	Hourly rate including benefits
Agriculture	Farmers and Ranchers	20.92	27.20
Commercial activity	Forest/Conservation workers	11.97	15.56
Commercial visitor services*	Managers (all others)	41.95	54.54
Research	Life/Physical/Social sciences	28.68	37.28
Commercial filming	Producers/Directors	34.72	45.14
Special events and misc.	varies	19.29	25.08
AVERAGE**		\$26.26	\$34.13

*Recreation occupations are not itemized in the BLS tables; therefore, we used the national amount for managers.

**The types of permits issued from one refuge to another can vary widely—some may not issue research permits, others might not have agriculture programs, etc. Therefore, rather than using a weighted average, we used a simple average for the most common types of occupations.

13. Provide an estimate of the total annual [nonhour] cost burden to respondents or recordkeepers resulting from the collection of information.

There are no nonhour burden costs.

14. Provide estimates of annualized costs to the Federal Government.

The estimated annual cost to the Federal Government to administer this information collection is \$616,651. There are 532 national wildlife refuges and 37 wetland management districts outside the State of Alaska. On the average, each refuge will issue 25 special use permits annually. We estimate that reviewing and processing each permit will take an average of 1 hour for a total of 14,225 hours annually. We estimate an average cost to the Government of \$28.35 for staff time to review and process each application, for a total of \$403,276. Additional costs for printing, copying, postage, and overhead (not including employee benefits) are estimated at \$213,375.

On many refuges and wetland management districts, the information for the permit application is provided by the permittee verbally or in a simple letter or e-mail and refuge staff fill out the form. On other refuges, the application is simply handed to the respondent, or mailed; on other refuges and wetland management districts, staff may discuss specific permit conditions with the respondent before the respondent fills out the form. Beginning this year, forms will be available online for applicants to fill out and return to the refuge for review. Once completed and returned to the refuge and wetland management district, the project leader approves or disapproves the permit application. If approved, we will impose and/or clarify conditions, and the issuing officer will sign the document and return a copy to the respondent.

Position	Grade	Hourly pay rate*	Hourly rate including benefits	Percent of time spent on collection	Total Hours	Total Cost (hourly rate/w benefits x total hours)
Clerical, unskilled	GS 7 step 1	\$15.59	\$20.27	30%	4,267	\$ 86,492
Professional and technical staff	GS-11 step 1	\$23.07	\$29.99	60%	8,535	\$255,965
Management (Refuge Manager)	GS 13 step 1	\$32.88	\$42.74	10%	1,423	\$ 60,819
					14,225	\$403,276

Weighted average cost per hour = \$403,276 divided by 14,225 = \$28.35/hour.

*Hourly pay rates taken from OPM Salary Table 2008-GS.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

We estimate that there will be 14,225 responses totaling 14,225 burden hours. This is an increase of 75 responses and 75 burden hours from our previous request. Since 2004, the number of refuges in the National Wildlife Refuge System outside of Alaska has increased by three. We have adjusted our estimates to account for this increase.

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

We will not publish this information. Information collected is strictly for use by refuge staff to determine eligibility for benefits.

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.

We will display the OMB approval number and expiration date.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

There are no exceptions to the certification statement.