

# Supporting Statement A for Paperwork Reduction Act Submission

OMB Control Number 1018-0095

## Endangered and Threatened Wildlife, Experimental Populations 50 CFR 17.84

**Terms of Clearance: None.**

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

Individuals of designated experimental populations for species listed as threatened or endangered under the Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.) are categorically protected. Documentation of human-related mortalities, recovery of dead specimens, animal husbandry actions necessary to manage the population, and other types of take related to the status of experimental populations is important for monitoring the success of reintroduction efforts and recovery efforts in general. To minimize potential conflict with humans that could undermine recovery efforts, livestock depredations connected with experimental populations of listed species require prompt attention for purposes of determining the location, timing, and nature of the predatory behavior involved, accurate determination of the species responsible for a livestock kill, and the timely application of necessary control measures. We collect information in nonform format. The information collection requirements are in 50 CFR 17.84.

### **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.**

Experimental populations established under section 10(j) of the ESA, as amended, require information collection and reporting to the U.S. Fish and Wildlife Service (Service, we). We collect information on the experimental populations listed in 50 CFR 17.84 to help further the recovery of the species and to assess the success of the reintroduced populations. The respondents notify us when an incident occurs, so there is no set frequency for collecting the information. We use the information to:

- Document the locations of reintroduced animals.
- Determine causes of mortality and conflict with human activities so that Service managers can minimize conflicts with people.
- Improve management techniques for reintroduction.

The information helps us assess the effectiveness of control activities and develop means to reduce problems with livestock for those species where depredation is a problem. Service recovery specialists use the information to determine the success of reintroductions in relation to established recovery plan goals for the threatened and endangered species involved.

Other Federal agencies provide us with the vast majority of the information on experimental populations under cooperative agreements for the conduct of the recovery programs. However,

the public also provides some information to us. Reporting parties include, but are not limited to, individuals or households, businesses, farms, nonprofit organizations, and State/local/tribal governments. We collect the information by means of telephone calls or facsimiles from the public to Service offices specified in the individual regulations. Standard information collected includes:

- Name, address, and phone number of reporting party.
- Species involved.
- Type of incident.
- Take (quantity).
- Location and time of reported incident.
- Description of the circumstances related to the incident.

Note: We have always collected information on take (quantity), but inadvertently omitted this in previous Supporting Statements. We have added take (quantity) to the above list of standard information that we collect. This will not affect the completion time per response because we have always considered the reporting of take in our burden estimate.

Some of these contacts are necessary follow-up reports under rules where we have authorized harassment or lethal take of experimental animals (e.g., livestock depredation or in defense of human life). We collect information in three categories:

1. General take or removal. This type of information relates to human-related mortality including unintentional taking incidental to otherwise lawful activities (e.g. highway mortalities), animal husbandry actions authorized to manage the populations (e.g., translocation or providing aid to sick, injured, or orphaned individuals), take in defense of human life, take related to defense of property (if authorized), or take in the form of authorized harassment.
2. Depredation-related take. This type of reporting involves take for management purposes where livestock depredation is documented, and may include authorized harassment or authorized lethal take of experimental animals in the act of attacking livestock.
3. Specimen collection, recovery, or reporting of dead individuals from experimental populations. This type of information is for the purpose of documenting incidental or authorized scientific collection. Most of the contacts with the public deal primarily with the reporting of sightings of experimental population animals, or the inadvertent discovery of an injured or dead individual.

There are no forms associated with this information collection.

- 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].**

Each reported incident is unique and those individuals responding generally are able to communicate details verbally via telephone, facsimile, or in writing. Due to limitations in funding and staff time, we do not have any plans to create a system for electronic submission of reported incidents, or to make the information available to the public over the internet.

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

Requested information is not available from any other source. We work with the U.S. Department of Agriculture/APHIS Division of Wildlife Damage Management, and other Federal agencies as necessary, when investigating or confirming information received regarding any of the experimental populations. There is some potential for duplication if someone contacts both the Service and another agency regarding an experimental animal, but generally there is sufficient information available to the public through interagency outreach efforts to make reporting well known. The Service and cooperating agencies work closely together to minimize any duplication in reporting.

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

This collection will not have a significant impact on small entities. There are no required forms or formats for the information we collect. We collect only the minimum information necessary to describe the reported incident.

**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.**

The current frequency and extent of information collection are necessary to assess the status of the experimental populations that have been introduced to suitable habitat as part of the species' recovery goals. The consequence of not collecting the information or reduced information collection would result in our inability to address and/or measure the implementation of these particular recovery goals. There is no information already available that can be used in lieu of that supplied by the respondent.

**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.

We rely on prompt public reporting on the location of sick, injured, or orphaned individuals in order to implement the necessary animal husbandry and specimen collection activities. In cooperation with the USDA/APHIS Division of Wildlife Damage Management, or other cooperating Federal agencies, we rely on prompt public reporting of depredation in order to resolve livestock-related problems. Therefore, a time sensitive requirement for reporting problems (generally within 24 hours) to the appropriate Service office is necessary.

- 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 3, 2010, we published a Federal Register notice (75 FR 67761) informing the public of our intent to renew information collection authority from OMB for experimental populations of threatened and endangered wildlife. We solicited comments for a period of 60 days, ending on January 3, 2011. We received two comments in response to this notice.

The first commenter objected to the authorization of depredation-related take. We note the concerns raised by this individual, but the comment did not address issues surrounding the proposed collection of information or the cost and hour burden estimates.

The second commenter provided the following comments on the collection of information:

### **Necessity of Collection**

*Comment:* This information collection is valuable for proper analysis of experimental populations established under the ESA, and the data can have practical utility. The practical use of the data would increase if it were provided to the State wildlife management agencies, particularly if these agencies are directly involved with the management of the experimental population.

*Response:* We coordinate closely with State wildlife management agencies in the conservation and management of endangered and threatened species under the ESA, including the conservation and management of experimental populations. State wildlife agencies are our primary conservation partners, and we routinely share data with them, including the data gathered under this information collection.

### **Burden Estimates**

*Comment:* The estimated burden for collection of information is severely underestimated. The commenter agreed that the actual reporting time is probably only 15 minutes per respondent, but stated that gathering data necessary to compile the reported information requires far more time, and may require a field investigation or follow-up phone call to verify the report.

*Response:* We believe our estimates are within reason because they represent the average amount of time it will take to provide the requested information via making a telephone call or to send a facsimile. This ICR covers multiple experimental populations, multiple species (which may have more than one experimental population), multiple types of activities, multiple geographic locations across the United States, and multiple Service Regions. We estimate that the time required to provide the notification will vary substantially from 1 to 45 minutes. We acknowledge that it may take some respondents, such as State fish and wildlife agencies, longer than others to gather and compile the data prior to notifying us. State fish and wildlife agencies may provide information to us on multiple species, experimental populations, and incidents in a single notification (thereby requiring more than 15 minutes for them to provide us with the information). In contrast to State fish and wildlife agencies, the general public usually provides information on a single species, experimental population, and incident in one notification (thereby requiring substantially less than 15 minutes for them to provide us with the information). Given the variety of potential situations requiring notification, as well as the variety of potential respondents, we believe 15 minutes per response is a reasonable estimate of the average burden.

*Comment:* General sighting reports do not appear to be included in the three categories of information collection.

*Response:* General sightings are included in the description of the information collection for specimen collection.

#### **Ways to Enhance the Quality, Utility, and Clarity of Information.**

*Comment:* The Service should design a standard data input form and evaluation descriptors for the reporting of visual information, allowing for adjustments in the form for each population as needed.

*Response:* We collect the information by means of telephone calls or facsimiles from the public. The actual details of the information we collect are unique to each species and experimental population, based on the specific information needed for that species and experimental population. The types of incidents that must be reported also vary by species. For example, under our wolf experimental populations, livestock depredation under a permit must be reported within 24 hours. We do not ask for this same information under our whooping crane experimental populations because whooping cranes are not predators, and, therefore, depredation permits are not needed. This ICR covers multiple experimental populations, multiple species (which may have more than one experimental population), multiple types of activities, multiple geographic locations across the United States, and multiple Service Regions. Given these complexities and variability in the detail of the information needed, it is not feasible to develop a standard data input form for each experimental population.

*Comment:* Sharing the data in summary form would increase the utility of the data.

*Response:* State wildlife agencies are our primary conservation partners, and we routinely share data with them (and vice versa), including the data gathered under this information collection.

#### **Ways to Minimize Burden.**

*Comment:* Reporting take (quantity) could be burdensome for species that produce large numbers of young at a time (e.g., fish, amphibians, and butterflies). The commenter suggests

standardizing the reporting of take (quantity) as a way to reduce the reporting burden for these species.

*Response:* We will coordinate with our Regional Offices and respondents to see if we can simplify and standardize the reporting of take (quantity) for species with large numbers of young.

We have not made any changes to our information collection requirements as a result of the above comments.

In addition to publishing the notice in the Federal Register, we contacted the following three individuals and solicited comments on this ICR. All three provided comments regarding an experimental population in North Carolina.

Charles Allen 252-799-6685	Joey VanDyke 252-475-0402	Tim Rose 252-796-3070
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- All agreed that the information we collect is necessary for species conservation and is reasonable and useful.
- One individual indicated that our burden estimate was accurate and reasonable and stated that the Service responded quickly to the reporting of the requested information. Two individuals indicated that it took less than 15 minutes to provide the requested information.
- All three individuals indicated that it is not necessary to find ways to minimize the burden. One person added that there are no problems in reporting the requested information. Reporting the information is easy, and the process is working well. Another person added that the amount of information requested is not excessive.
- The individuals were very satisfied with how we collect the information and did not provide any suggestions on ways to enhance the quality, utility, and clarity of the information collected.
- One individual suggested that we could improve the management of experimental populations by ensuring that we gather an adequate amount of information. This individual also indicated that it is important to talk to the affected public before establishing an experimental population in order to set up a good working relationship ahead of time.

We gather the minimum amount of information that is necessary to describe the reported incident, and that is adequate for managing the experimental populations. When we propose to add new experimental populations or to modify existing experimental populations, we conduct extensive public outreach, including holding public hearings, if requested. We also conduct extensive public outreach when we finalize the addition of new experimental populations or the modification of an existing experimental population. We work proactively with the affected public in managing experimental populations, and keep the public informed about experimental populations via our National, Regional, and Field Office websites. Therefore, we have not made any changes to our information collection requirements as a result of this outreach.

**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 provide any assurance of confidentiality. We collect the name, address, and phone number of the reporting party. This information is protected by provisions of the Privacy Act of 1974.

**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 there will be approximately 101 respondents annually for the notifications included in this ICR. We anticipate receiving approximately 101 responses annually, totaling 27 annual burden hours (rounded). The completion time for each information collection varies, but the average completion time is 15 minutes.

We estimate the total dollar value of the annual burden hours for this collection to be \$915 (rounded). We estimated average hourly wages and calculated benefits using the Bureau of Labor Statistics Bulletin USDL 11-0304 entitled "Employer Costs for Employee Compensation—December 2010" (<http://www.bls.gov/news.release/pdf/ecec.pdf>) released on March 9, 2010.

- Individuals/Households - We used the wage and salary rate for all workers from Table 1 (\$20.71) and multiplied by 1.4 to account for benefits, resulting in an hourly rate including benefits of \$28.99 (rounded).
- Private Sector - We used the wage and salary rate for all workers from Table 5 (\$19.64) and multiplied by 1.4 to account for benefits, resulting in an hourly rate including benefits of \$27.50 (rounded).
- State/Local/Tribal Government – We used the wage and salary rate for all workers from Table 3 (\$26.42) and multiplied by 1.5 resulting in an hourly rate including benefits of \$39.63.

REQUIREMENT	ANNUAL NO. OF RESPONDENTS	TOTAL ANNUAL RESPONSES	COMPLETION TIME PER RESPONSE (HOURS)	TOTAL ANNUAL BURDEN HOURS	HOURLY LABOR COSTS INCLUDING BENEFITS	TOTAL DOLLAR VALUE OF ANNUAL BURDEN HOURS
<b>Notification-general take or removal</b>						
Individuals	10	10	0.25	3	\$28.99	\$86.97
Private Sector	7	7	0.25	2	\$27.50	\$55.00
Government	27	27	0.25	7	\$39.63	\$277.41

<b>Notification - depredation-related take</b>						
Individuals	25	25	0.25	6	\$28.99	\$173.94
Private Sector	2	2	0.25	1	\$27.50	\$27.50
Government	9	9	0.25	2	\$39.63	\$79.26
<b>Notification - specimen collection</b>						
Individuals	3	3	0.25	1	\$28.99	\$28.99
Private Sector	2	2	0.25	1	\$27.50	\$27.50
Government	16	16	0.25	4	\$39.63	\$158.52
<b>Totals</b>	<b>101</b>	<b>101</b>		<b>27</b>		<b>\$915.09</b>

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

The only foreseeable nonhour burden cost to respondents would be a small cost for making a telephone call or sending a facsimile. However, we do not expect that this would occur often and any costs would be negligible.

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

We estimate that the total cost to the Federal Government for receiving and processing the notifications as a result of this collection of information is \$5,165 (rounded).

These costs are primarily for staff time to receive the notifications via phone calls or facsimiles, and to process the information contained in the notification. For each telephone call, we will write up a record of the telephone conversation. We will then process the information received in the facsimile or telephone call, and analyze the information to determine whether or not it has any significant impact on the affected experimental population. The time required for Federal Government employees to process and analyze the information contained in the notification will vary, but we estimate it will take an average of 1 hour per response

Depending upon their geographic location, some employees are paid under a Federal salary table that includes locality pay. We used the Office of Personnel Management's Salary Table 2011-DCB ([http://www.opm.gov/oca/11tables/pdf/dcb\\_h.pdf](http://www.opm.gov/oca/11tables/pdf/dcb_h.pdf)) to determine an average wage rate for employees nationwide. To calculate benefits, we multiplied the hourly rate by 1.5 in accordance with the Bureau of Labor Statistics Bulletin USDL 11-0304 entitled "Employer Costs for Employee Compensation—December 2010" (<http://www.bls.gov/news.release/pdf/ecec.pdf>) released on March 9, 2010.

The following table shows a weighted average of \$51.14 for Federal staff and grade levels performing various tasks associated with this information collection.



POSITION/GRADE	HOURLY RATE	HOURLY RATE INCLUDING BENEFITS	TIME SPENT ON INFORMATION COLLECTION	WEIGHTED AVERAGE \$/HOUR
Clerical - GS-7/step 5	\$22.92	\$34.38	5%	\$1.72
Professional/technical - GS-11/step 5	\$33.92	\$50.88	90%	\$45.79
Management - GS-13/step 5	\$48.35	\$72.53	5%	\$3.63
Weighted Average (\$/hr)				\$51.14

We used the above weighted average hourly rate to calculate the cost to the Federal Government by multiplying the hourly weighted salary rate (\$51.14) x total hours for Federal Government review (101).

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

We are reporting 101 responses totaling 27 burden hours for this collection, which is an increase of 29 responses and 9 burden hours from our previous request.

This is an adjustment in our estimates based on our experience in administering this collection and to include the increase in the number of responses for experimental populations that have been added within the past 3 years or that may be added in the next 3 years.

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

The information is only for internal tracking and use. No publication of information is anticipated.

**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.**

This is a regulatory requirement. We will display the OMB Control Number and expiration date on appropriate documents.

**18. Certification.**

There are no exceptions to the certification statement.