

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

**Voluntary Prelisting Conservation Actions  
OMB Control Number 1018-XXXX**

**Terms of Clearance. None – New Collection.**

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

The U.S. Fish and Wildlife Service (we, Service) is charged with implementing the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) (Act). The goal of the Act is to provide a means to conserve the ecosystems upon which listed species depend and a program for listed species conservation. Through our Candidate Conservation program, we encourage the public to take conservation actions for species prior to them being listed under the Act. Doing so may result in precluding the need to list a species, may result in listing a species as threatened instead of endangered, or, if a species becomes listed, may provide the basis for its recovery and eventual removal from the protections of the Act.

This proposed policy seeks to give landowners, government agencies, and others incentives to carry out voluntary conservation actions for unlisted species by allowing the benefits to the species from voluntary conservation actions undertaken prior to listing under the Act to be used—either by the person who undertook such actions or by third parties—to mitigate or offset the detrimental effects of other actions undertaken after listing. The policy requires that participating States track the voluntary conservation actions and provide this information to us on an annual basis. We require this information in order to provide the entities that have taken the conservation actions with proper credit that can later be used to mitigate for any detrimental actions they take after the species is listed.

**2. Indicate how, by whom, and for what purpose the information is to be used.**

We plan to collect the following information:

- Description of the prelisting conservation action being taken.
- Location of the action (does not include a specific address).
- Name of the entity taking the action and their contact information (email address only).
- Frequency of the action (ongoing for X years, or one-time implementation) and an indication if the action is included in a State Wildlife Action Plan.
- Any transfer to a third party of the mitigation or compensatory measure rights.

Each State that chooses to participate will collect this information from landowners, businesses and organizations, and tribal and local governments that wish to receive credit for voluntary prelisting conservation actions. States may collect this information via an Access database, Excel spreadsheet, or other database of their choosing and submit the information to the Fish and Wildlife Service (via email) annually. We will use this information to calculate the amount of credits that the entity taking the conservation action will receive. We will keep track of the credits and notify the entity of how much credit they have earned. The entity can then use these credits to mitigate or offset the detrimental effects of other actions they take after the species is listed (assuming it is listed).

- 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].**

The State agencies that participate will use an electronic database (Access, Excel or other database program of their choosing) to track the information and generate the annual report they will send electronically to us. We do not plan to make this information available to the general public via the Internet, but can provide the State reports electronically upon a request from the public.

- 4. Describe efforts to identify duplication.**

The States are already required to collect similar information to what will be used in conjunction with this policy. Our Sport Fish Restoration Program (WSFR) requires the States to submit financial and performance reports via an electronic database – Wildlife Tracking and Reporting Actions for the Conservation of Species (Wildlife TRACS). However, 16 USC 669h and 16 USC 777h prohibit the use of WSFR administrative funds to subsidize or otherwise support any other program or function in the Service, thus the States cannot use Wildlife TRACS to enter and report the information that we will use under this proposed policy. States will use another tracking mechanism (such as Access or Excel). While some of the information will be the same as the information the States enter into Wildlife TRACS, the proposed policy requires additional information beyond what the States are currently entering, such as a more detailed description of the conservation actions being undertaken.

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

We collect only the minimum information necessary for us to calculate the amount of credits the entity that is taking the conservation action will receive. This information collection will not significantly impact small businesses or other small entities.

- 6. Describe the consequence to Federal program or policy activities if the collection were not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If the collection of information were not conducted, we would be unable to implement the policy and provide this incentive to entities to conserve unlisted species. Collecting the information less frequently than a year would result in our inability to provide credits to entities that are implementing voluntary prelisting conservation actions in a timely manner.

- 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.**

There are no special circumstances that require us to collect the information in a manner inconsistent with OMB guidelines.

- 8. If applicable, 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.**

We are publishing a notice in the Federal Register to announce the draft policy and to solicit public comment for a period of 30 days on the information collection and reporting requirements described in this supporting statement.

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

We will not provide any payment 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 will not provide any assurance of confidentiality. While the information being supplied by States will be stored by species, it can be sorted by the name of the entity that is implementing the conservation actions. We do not ask for other personal identifiers such as social security numbers, street addresses, or telephone numbers.

- 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 will not ask any questions of a sensitive nature.

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

We estimate that approximately 10 States and 400 entities (individuals, businesses, and local governments) will participate and submit 410 responses annually totaling 300 burden hours. The total dollar value of the annual burden hours is approximately \$13,935 (rounded). We used the Bureau of Labor Statistics news release USDL-14-0390, March 12, 2014, Employer Costs for Employee Compensation—December 2013, to estimate average hourly wages and calculate benefits:

- Individuals - We used the wage and salary costs for all workers from Table 1, which states an hourly rate of \$21.77. To calculate benefits, we multiplied the hourly rate by 1.4, resulting in an hourly cost factor of \$30.48 (rounded).
- Private Sector - We used the wage and salary costs for all workers from Table 5, which states an hourly rate of \$22.05. To calculate benefits, we multiplied the hourly rate by 1.4, resulting in an hourly cost factor of \$30.87 (rounded).
- State/tribal/local Governments – We used the wage and salary costs for management and professional occupations from Table 3, which states an hourly rate of \$34.43. We multiplied this rate by 1.5 to account for benefits, resulting in an hourly cost factor of \$51.65 (rounded).

ACTIVITY	NUMBER OF RESPONDENTS	NUMBER OF RESPONSES	COMPLETION TIME PER RESPONSE	TOTAL ANNUAL BURDEN HOURS	\$ VALUE OF ANNUAL BURDEN HOURS
Report Information to States					
Individuals	20	20	15 minutes	5	\$ 152.40
Private Sector	280	280	15 minutes	70	2,160.90
Government	100	100	15 minutes	25	1,291.65
States Collect and Report Information to the Service	10	10	20 hours	200	10,330.00
Totals	410	410		300	\$13,934.95

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

There is no nonhour cost burden associated with this information collection.

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

The total estimated cost to the Federal Government for processing and reviewing reports from States as a result of this collection of information is \$23,917 (rounded) (\$64.64 times 370 hours). This estimate includes FWS salary and benefits only; no other costs are associated with this information collection. Staff in the Headquarters Branch of Communications and Candidate Conservation or Regional office staff in the Ecological Services program will review annual reports, determine the amount of credit each conservation action will earn, and annually submit this information to the participating States and entities that are implementing the conservation actions. We estimate that staff will spend an average of 37 hours per response annually to administer this collection.

To calculate salary costs, we used the Office of Personnel Management Salary Table 2014-DCB as an average nationwide rate. The salary rate for a GS-13, step 1 is \$43.09. We multiplied this rate by 1.5 to account for benefits in accordance with BLS news release USDL 14-0390, resulting in a cost factor of \$64.64(rounded).

**15. Explain the reasons for any program changes or adjustments in hour or cost burden.**

This is a new information collection.

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

The information we will collect will not be published.

**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.**

Not applicable.

**18. Explain each exception to the certification statement.**

There are no exceptions to the certification statement.