

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

**OMB Control Number 1018-0101**

**Monitoring Recovered Species After Delisting – American Peregrine Falcon  
FWS Forms 3-2307, 3-2308, and 3-2309**

**Terms of Clearance:** None.

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

This information collection implements the requirements of the Endangered Species Act (16 U.S.C. 1531 et seq.) (ESA). The American peregrine falcon was removed from the List of Endangered and Threatened Wildlife on August 25, 1999. Section 4(g) of the ESA requires that all species that are recovered and removed from the List of Endangered and Threatened Wildlife (delisted) be monitored in cooperation with the States for a period of not less than 5 years. The purpose of this requirement is to detect any failure of a recovered species to sustain itself without the protections of the ESA. There are no corresponding Fish and Wildlife Service (we/Service) regulations for the ESA's post-delisting monitoring requirement.

This information collection also implements the Migratory Bird Treaty Act (16 U.S.C. 704) contained in Service regulations in chapter I, subchapter B of Title 50 of the Code of Federal Regulations (CFR).

The American peregrine falcon has a large geographic distribution that includes a substantial amount of non-Federal land. Although the ESA requires that monitoring of recovered species be conducted for not less than 5 years, the life history of American peregrine falcons is such that it is appropriate to monitor this species for a longer period of time in order to meaningfully evaluate whether or not the recovered species continues to maintain its recovered status. The Monitoring Plan for the American Peregrine Falcon is available on our website at <http://www.fws.gov/endangered/esa-library/pdf/Peregrineplan2003.pdf>. Formal collection of monitoring data commenced in 2003 and was repeated in 2006, 2009, and 2012.

We concluded post-delisting monitoring of peregrine falcons in 2012. However, we may continue to monitor peregrine falcons less intensively in the future, with periodic national or regional monitoring efforts. In 2015, we, with State partners, will monitor peregrine falcons in the southwestern United States (Utah, Colorado, Arizona, and New Mexico). We plan to monitor approximately 130 territories, or 20 percent of the number of territories monitored nationally during post-delisting monitoring. Peregrines are sensitive indicators of some environmental changes, particularly, as history has shown, to some chemical contaminants. For this reason, we and our partners will consider continuing some level of monitoring in the future so we can detect potential problems before they become critical.

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

We use the information supplied on FWS Forms 3-2307, 3-2308, and 3-2309 to review the status of the American peregrine falcon in the United States and to determine if it remains recovered. We have not made any changes to these forms.

- FWS Form 3-2307 (Peregrine Falcon Monitoring Form) addresses the reporting requirements to record observations on the nesting pair, and the numbers of eggs and

young during each nest visit. Each territory is visited at least two times during the nesting season.

- FWS Form 3-2308 (Peregrine Falcon Egg Contaminants Data Sheet) addresses the reporting requirements to record data on eggs collected opportunistically during a nest visit. Once collected the eggs will be shipped to a Federal facility and archived in a deep freeze for analysis at a later time.
- FWS Form 3-2309 (Peregrine Falcon Feather Contaminants Data Sheet) addresses the reporting requirements to record data on feathers collected opportunistically during a nest visit. The feather samples will be archived in a manner similar to the eggs.

Professional biologists employed by Federal and State agencies and other organizations, and volunteers who have been involved in past peregrine falcon conservation efforts complete FWS Forms 3-2307, 3-2308, and 3-2309. The egg and feather contaminants data sheets (FWS Forms 3-2308 and 3-2309) are completed by biologists with permits to collect eggs and feathers at nest sites, as described in the monitoring plan. The obligation to provide the information is voluntary. Under post-delisting monitoring nest data were collected every 3 years, and were last collected in 2012. The data were last reported in 2006. Post-delisting monitoring concluded in 2012 and those data will be reported in a peer-reviewed journal. However, monitoring of some peregrine territories will continue in 2015.

All the data requested on the nest monitoring and contaminants forms are required for later analyses. On the nest monitoring forms, the location and observer information are critical for proper attribution of the data, and contact with observers if there is some question as to what was observed. The information requested about observation post, the peregrines observed, and nest contents helps interpret the observations made about the likely nest stage and outcome of the nesting attempt. The questions asked on the contaminants data sheets all help with ultimate interpretation of the quality, origin, and quantity of the samples submitted for analyses.

**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].**

Roughly half of the forms are submitted electronically. We allow the observers of every affiliation to determine how they submit the data. The forms are available online in a fillable format and the completed forms can be emailed to the Service. However, many of the biologists and volunteers take hard copies of the form to the monitoring sites and complete the forms in the field. Many choose to submit paper copies of the forms to the Service rather than typing and submitting the data electronically. The analyzed results of the information collected are available online.

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

There is efficiency rather than duplication of effort in the case of the Service's monitoring plan. In most States, these data are already being collected; the FWS monitoring plan merely unifies the data being collected for a subset of nests and maintains and analyzes those data in a uniform way.

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

We collect the minimum information necessary to determine if the peregrine falcon remains recovered. There is little impact on small entities because most of the work is done by public employees and volunteers.

**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.**

Failure to collect these data would be a failure of the Service to uphold its responsibilities under the ESA.

**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 this 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.**

On July 14, 2014, we published in the Federal Register (79 FR 40776) a notice of our intent to request that OMB renew approval for this collection of information. We solicited comments for

60 days, ending on September 12, 2014. We received four comments. One comment was from the State of Montana, Department of Fish, Wildlife and Parks, and the other three were from participants in and organizers of peregrine falcon monitoring in Montana. All commenters:

- Agreed that the collection of information is necessary and has practical utility. Stated that this information collection is not simply necessary, but is our obligation under the ESA.
- Argued for continuing post-delisting monitoring of peregrine falcons in 2015.
- Expressed concern that we terminated post-delisting monitoring prematurely.
- Elaborated on the reasons why the Service should continue monitoring the falcons; i.e., that the data will serve as a baseline by which to measure future breeding performance; that peregrine falcons are indicators of environmental health, and continued monitoring may reveal the presence of destructive environmental contaminants, the negative effects of climate change, or of emerging avian diseases.

Two commenters mentioned that monitoring peregrines in Montana will be challenging without the financial assistance that the Service has given in previous post-delisting monitoring years.

The original design of the post-delisting monitoring plan called for monitoring the species five times at 3-year intervals, from 2003 through 2015. Fiscal conservatism forced us to critically evaluate expenditures in every program, including peregrine falcon post-delisting monitoring. The monitoring results from 4 monitoring years, spanning a 9-year period, show that in most regions and nationally the species is doing well; e.g., meeting or exceeding targets for territory occupancy, nesting success, and productivity. Other data show that the numbers of breeding birds continue to increase in most States. We believe peregrine falcons have been monitored effectively for more than 5 years, and the data show that the species is not in danger of being relisted as threatened or endangered. Therefore, we have met our obligations under the ESA and concluded post-delisting monitoring in 2012.

We may continue to monitor peregrine falcons less intensively in the future, with periodic national or regional monitoring efforts. In 2015, for example, we, with State partners, will monitor peregrine falcons in the southwestern United States (Utah, Colorado, Arizona, and New Mexico). We plan to monitor approximately 130 territories, or 20 percent of the number of territories monitored nationally during post-delisting monitoring.

The 4 years of post-delisting monitoring data provide us with an adequate baseline against which future monitoring efforts may be compared regionally and nationally. Monitoring from each year met our goals for statistical rigor, each of the 4-year datasets stands alone, and together these datasets provide us with a justification to conclude delisting monitoring of this species. Peregrines are sensitive indicators of some environmental change, particularly, as history has shown, to some chemical contaminants. For this reason, we will consider, with partners, a strategy to continue some level of monitoring in the future to be able to detect potential problems before they become critical.

In addition to publishing the notice in the Federal Register, we contacted the following people regarding the forms, asking: (1) whether or not the forms are necessary, (2) if the estimated time to collect the information is accurate, and (3) ways to improve the forms, including whether or not some of the information seemed unnecessary.

Russell Norvell <a href="mailto:russellnorvell@utah.gov">russellnorvell@utah.gov</a>	Margaret Darr <a href="mailto:margaret.darr@state.nm.us">margaret.darr@state.nm.us</a>
David Klute <a href="mailto:david.klute@state.co.us">david.klute@state.co.us</a>	Dennis Abbate <a href="mailto:dabbate@azgfd.gov">dabbate@azgfd.gov</a>

Each of the respondents agreed that the forms were necessary to collect the information. However, three respondents suggested that the estimated amount of time to collect the information for general monitoring (2.5 hours for Form 3-2307) is a minimum. One respondent suggested the time to collect the information and report it should be closer to 14 to 16 hours. We based the estimated time to collect the information and fill out the form on a nationwide average. In the West, peregrine territories tend to be in more remote locations, are more difficult to reach, and thus may take longer to monitor than the national average. All respondents agreed that the information requested on the forms is reasonable and not burdensome. We continue to believe that 2.5 hours is the average time nationally and did not change our burden estimates

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

We do not provide gifts or payments 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 respondents any assurance of confidentiality.

**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 we will receive 278 annual responses totaling 696 annual burden hours for this collection.

ACTIVITY	NUMBER OF ANNUAL RESPONSES	COMPLETION TIME PER RESPONSE	TOTAL ANNUAL BURDEN HOURS
FWS Form 3-2307	254	2.5 hours	636
FWS Form 3-2308	12	2.5 hours	30
FWS Form 3-2309	12	2.5 hours	30
<b>Totals</b>	278		696

We estimate the total dollar value of the annual burden hours for this collection to be \$24,204 (rounded). We used the Bureau of Labor Statistics (BLS) May 2013 National Occupational Employment and Wage Estimates, United States to estimate the hourly wage rate. We calculated benefits consistent with statistics published in the BLS Bulletin USDL-14-1075 (June 11, 2014; <http://www.bls.gov/news.release/pdf/ecec.pdf>).

- Individuals/Households - We used table 00-0000, All Occupations ([http://www.bls.gov/oes/current/oes\\_nat.htm#00-0000](http://www.bls.gov/oes/current/oes_nat.htm#00-0000), to determine the mean hourly rate for all workers (\$22.33). We multiplied the hourly rate by 1.4 to account for benefits, resulting in an hourly rate of \$31.26.

- Private Sector – For this collection, we have assumed that the rate for the private sector is identical to the rate for State/local/tribal (see below for source). We multiplied the hourly rate (\$25.55) by 1.4 to account for benefits, resulting in an hourly rate of \$35.77.
- State/local/tribal Government – We used table 19-1023, Zoologists and Wildlife Biologists (<http://www.bls.gov/oes/current/oes191023.htm>), to determine the mean hourly wage (\$25.55) for State workers. We multiplied the hourly rate (\$25.55) by 1.5 to account for benefits, resulting in an hourly rate of \$38.33.

ACTIVITY	HOURLY WAGE W/BENEFITS	TOTAL ANNUAL BURDEN HOURS	\$ VALUE OF ANNUAL BURDEN HOURS
FWS Form 3-2307			
Individuals	\$31.26	308	\$9,628.08
Private Sector	35.77	20	715.40
Government	38.33	308	11,843.97
FWS Form 3-2308			
Individuals	31.26	20	625.20
Government	38.33	10	383.30
FWS Form 3-2309			
Individuals	31.26	20	625.20
Government	38.33	10	383.30
<b>Total</b>			<b>\$24,204.45</b>

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

The nonhour burden cost for this collection is insignificant. We estimate the total annual nonhour burden cost to be \$252.00. Nonhour costs are incurred when contaminants samples must be shipped to designated labs for analysis and storage. Shipping contaminants samples for eggs is more expensive than shipping feathers because we have included the cost of “blue ice” or other suitable cold-pack and overnight mailing.

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

We estimate the annual cost to the Federal Government to administer this information collection to be \$22,577 (rounded). In estimating salary costs, we used the Office of Personnel Management Salary Table 2014-RUS and multiplied the hourly rate by 1.5 to account for benefits in accordance with BLS Bulletin USDL-14-1075.

	GRADE/STEP	HOURLY RATE	HOURLY RATE INCL. BENEFITS	TOTAL ANNUAL HOURS	TOTAL FEDERAL COST
<b>Nest Monitoring</b>					
Regional Coordinators	GS-11/5	\$31.49	\$47.24	20	\$ 944.80
National Coordinators	GS-12/5	37.74	56.61	350	19,813.50
<b>Regional Preparation</b>	GS-11/5	31.49	47.24	10	472.40
<b>NOAA Facility</b>	GS-13/5	44.88	67.32	20	1,346.40
<b>Total</b>					<b>\$22,577.10</b>

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

We are reporting 278 annual responses, 696 annual burden hours, and \$252 in nonhour burden costs. This is an adjustment decrease of 377 responses and 942 annual burden hours, and an increase of \$96 in nonhour burden costs from our previous submission. Post-delisting monitoring was concluded in 2012. The decrease in responses and burden hours reflects the reduced monitoring in the future. The small increase in nonhour burden costs reflects the increase in mailing costs

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

We will publish the data and analyses of the entire post-delisting monitoring effort in a peer-reviewed journal. Publication of results will follow standard publication guidelines of peer-reviewed journals. The publication will be available in pdf format on a Service website.

**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 control number and expiration date.

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

There are no exceptions to the certification statement.