

1 Supporting Statement A for Paperwork Reduction Act Submission

Land-Based Wind Energy Guidelines OMB Control Number 1018-0148

Terms of Clearance: Prior to renewal of this ICR, OMB must be provided with a detailed report containing the following information: (1) A rigorous estimate of the number of respondents from the prior year and characterization of current industry participation in this collection, (2) Updated burden hour estimates through consultation with respondents, (3) A description of the extent to which the collection has led to technical advice and modifications to specific projects, and (4) A description of lessons learned from the first three years of implementation regarding ways to minimize burden on small entities. We expect the FWS will share the Federal Register notice announcing the 60-day comment period for the renewal of this ICR with affected stakeholders to ensure that interested parties provide input.

Response: To respond to the terms of clearance, we:

- Added new WEG-related fields to the Tracking and Integrated Logging System (TAILS) used for tracking Ecological Services Field Office activities, allowing staff to indicate when, to the best of their knowledge, project proponents are using the WEG;
- Informally surveyed Ecological Services Field Office staff;
- Surveyed wind energy industry representatives via an approved Information Collection (OMB Control No. 1090-0011);
- Conducted limited public outreach; and
- Shared the Federal Register notice announcing the 60-day comment period for the renewal of the Information Collection via email to 1,465 contacts who have identified themselves as interested parties, including: wind energy industry, State and local governments, other Federal agencies, tribal entities, nongovernmental agencies, academic institutions, and members of the general public.

The results of our efforts are discussed in the report provided to OMB on October 24, 2014, and attached in ROCIS as a supplementary document.

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

The development of renewable energy is important for the future of the Nation and the health of the environment. The Department of the Interior is committed to facilitating the development of wind energy and other renewable resources while protecting our Nation's treasured landscapes and wildlife. Advances in wind energy technologies and increased interest in renewable energy sources have resulted in rapid expansion of the wind energy industry in the United States. Wind energy facilities have the potential to have significant negative impacts to wildlife and their habitats.

The U.S. Fish and Wildlife Service (we, Service), working with the Wind Turbine Guidelines Advisory Committee, developed the Land-Based Wind Energy Guidelines (Guidelines). These voluntary Guidelines provide a structured, scientific process for addressing wildlife conservation concerns at all stages of land-based wind energy development. They describe a process for wind project developers to use to gather information to identify sites with low risk to wildlife, and to assess, mitigate, and monitor the potential adverse effects of wind energy projects on wildlife

and their habitats. They also promote effective communication among wind energy developers and Federal, State, and local conservation agencies and tribes. These Guidelines are intended to:

- Promote compliance with relevant wildlife laws and regulations;
- Encourage scientifically rigorous survey, monitoring, assessment, and research designs proportionate to the risk to species of concern;
- Produce potentially comparable data across the Nation;
- Mitigate, including avoid, minimize, and compensate for potential adverse effects on species of concern and their habitats; and,
- Improve the ability to predict and resolve effects locally, regionally, and nationally.

Although the Guidelines are voluntary, they are designed to minimize impacts to wildlife, including species protected by the Migratory Bird Treaty Act (16 U.S.C 703-712), Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d), and Endangered Species Act (16 U.S.C. 1531–1544), as well as species not afforded protection under these Acts, but which can be significantly adversely affected by wind energy development (e.g., non-listed bats). The Guidelines are also consistent with the Fish and Wildlife Coordination Act (16 U.S.C. 661-667e) and Executive Order 13186 – Responsibilities of Federal Agencies to Protect Migratory Birds (January 10, 2001). When used in concert with appropriate regulatory tools, the Guidelines form the best practical approach for conserving species of concern.

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

Following the Guidelines, wind project developers voluntarily provide information about their projects and nearby wildlife to the Service. The type of information varies depending on the characteristics of each project, but generally includes the results of habitat studies, wildlife surveys, fatality monitoring, and development plans. The Guidelines recommend ways that project developers should collect this information. Because of the voluntary nature of the Guidelines, a developer determines the methods used to conduct all studies and monitoring.

Adherence to the Guidelines is voluntary and does not relieve any individual, company, or agency of the responsibility to comply with laws and regulations. However, if a violation occurs we will consider a developer's documented efforts to communicate with the Service and adhere to the Guidelines.

Developers may provide information at multiple stages of project planning and development. The Guidelines identify these stages as "Tiers" and indicate the types of information that a developer should provide at each Tier.

Tiers 1 and 2 include a respondent's initial investigation and characterization of potential sites for development of wind energy facilities. At these Tiers, the respondent may be asked to provide information regarding the location of the proposed project so that we can provide general information regarding the species and habitat potentially present at that location. At Tier 2, it is possible that the respondent has access to a site. If any initial surveys or habitat assessments are conducted, the respondent may provide the results of those surveys and assessments. We use this information to assist the developer in identifying lists of species that may be present, potential risks to wildlife and their habitats, and to recommend what further studies should be conducted if the developer chooses to proceed with the project. At this stage,

our technical assistance could be used by a respondent to decide whether or not to further pursue a potential site for development and to inform study design and project planning.

At Tier 3, a developer may conduct more rigorous surveys to determine which species are present, how they use the site, and whether and to what extent development of the site might pose risks to those species. Respondents are encouraged to provide the results of any surveys and studies conducted. We will use this information to assist the developer in identifying and quantifying the level of risk to wildlife and their habitats and to develop a mitigation plan to compensate for anticipated impacts if the developer proceeds with the project. Our technical assistance could be used by a respondent to decide whether or not to proceed to the development stage, to finalize the design and layout (micrositing) of a proposed project, develop mitigation and monitoring plans, and to put best management practices for construction into use.

Tier 4 includes the monitoring of wildlife and habitat impacts that might take place following construction of a wind energy project. Respondents are encouraged to provide the results of monitoring that takes place as well as the results of any studies conducted to assess the success of mitigation measures. We use this information to assess the accuracy of predicted impacts and to recommend mitigation to reduce or compensate for significant unanticipated impacts. We also provide the developer with best management practices for operation of the facility.

Tier 5 is rarely implemented. This Tier includes any research, above and beyond normal wind energy project studies, that a developer may choose to conduct. An example of such research might be a study of the effects of weather events on the fatality levels of migratory birds. We would request the results of such research, as the body of such research is currently limited and new information will better inform the types of recommendations we make to the developers of wind energy projects in the future.

Respondents may choose to share the information with other organizations such as State wildlife agencies or nongovernmental organizations. We will not share voluntarily submitted site specific confidential business information with others outside of the Service, but, due to Federal statutes, may be required to release information about wind projects unless such information is exempt from such requirements.

Each developer or operator is responsible for maintaining internal records sufficient to demonstrate adherence to the Guidelines and response to communications from the Service. Examples of these records include: studies performed in the implementation of the tiered approach; an internal or external review or audit process; a bird and bat conservation strategy; or a wildlife management plan. If a developer and operator are not the same entity, we expect the operator to maintain sufficient records to demonstrate adherence to the Guidelines.

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].

Wind energy developers determine their own methodology for collecting information. Respondents may submit the information electronically via email. Allowing respondents to submit their reports electronically reduces administrative burden to respondents and the Federal

Government. Information may also be submitted in person during face-to-face meetings, over the Internet, or in hard copy in whatever format they may prefer.

4. Describe efforts to identify duplication.

No other division of the Service or other agency of the Federal Government collects this information.

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

We collect the minimum amount of information necessary to evaluate the impacts of proposed wind energy projects to wildlife and their habitats and to provide technical assistance to the developer.

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 we did not collect the information, we would be unable to provide technical assistance to wind energy developers seeking to avoid, minimize, and compensate for the negative impacts of wind energy projects on wildlife and their habitats. If we collected the information less frequently, we would have limited and incomplete information and would likewise be unable to provide technical assistance to wind energy developers.

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.

A developer choosing to follow the Guidelines will most likely maintain records longer than 3 years. Developers will not routinely provide post-construction monitoring information to the Service. For example, developers will most likely maintain records regarding survey and monitoring results for the life of a project for their own purposes, including so that they may demonstrate that they have taken actions to reduce impacts to wildlife at the project. No other

special circumstances exist that would cause 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.

On July 3, 2014, we published in the *Federal Register* (79 FR 38055) a notice of our intent to request that OMB renew its approval for this information collection. In that notice, we solicited comments for 60 days, ending on September 2, 2014. We shared the Federal Notice via email to 1,465 contacts who have identified themselves as interested parties, including: wind energy industry, State and local governments, other Federal agencies, tribal entities, nongovernmental agencies, academic institutions, and members of the general public.

We received five sets of comments, including comments from the wind energy industry, a State agency, an environmental consulting firm, an environmental nongovernmental organization (NGO), and an independent consultant to the environmental NGO community. The comments are sorted below by relevance to the questions posed in the July 3, 2014, notice, followed by our response. We invited comments concerning this information collection on:

Whether or not the collection of information is necessary, including whether or not the information will have practical utility.

Most commenters felt that the collection of information was necessary and that the information has practical utility. Some commenters felt that the guidelines were not being used for siting decisions, while other commenters used the guidelines to avoid certain sites only for them to be used by another wind developer. Some industry commenters felt they undertook unnecessary studies as a result of the guidelines, and requested more consistency among field offices.

It was noted that the necessity and utility of information collected is dependent upon whether information has previously been collected in the study area. We agree that existing information should be used, where available. The Guidelines encourage use of credible, publicly available information including published studies, technical reports, databases, and information from agencies, local conservation organizations, and/or local experts. Another commenter noted that any proposal to conduct a study should define the questions that are expected to be answered because studies are sometimes proposed without regard for whether the information learned will contribute to useful project evaluation. We agree that information should not be collected for the sake of collecting information. To accomplish this, the Guidelines pose questions within each Tier to help developers and Service staff identify data needs and any necessary surveys or studies.

The Service recognizes that staff training in implementation of the Guidelines is needed to promote consistent and effective technical assistance to wind energy project proponents. In September 2012, a training workshop was held at the National Conservation Training Center (NCTC), open to all Federal and State agencies, industry members, tribes, and non-

governmental organizations. From May 2013 through April 2014, a series of live public broadcasts were produced and recorded to more broadly distribute training materials. The series included guests such as regional and field office staff, industry representatives, State agency staff, utilities, and researchers. The materials from the 2012 workshop, and the entire broadcast series, are available online at http://www.fws.gov/windenergy/wind_training/wind_training.html. Based on public comment received, and on feedback received from within the Service, we believe additional training may be useful and will be evaluating further opportunities.

The accuracy of our estimate of the burden for this collection of information.

One commenter noted that the estimate of 50 responses and respondents annually submitting information related to Tier 4 seems low considering that the Guidelines are intended to apply not only to projects initiated after publication of the Guidelines, but also to projects that were already in development and already operating. Another commenter provided a revised estimated burden calculated by members of the wind energy industry community. We used the industry's figures in revising the estimate of the burden, and also agree with the comment that the number of respondents in Tier 4 should be higher to reflect ongoing fatality studies at existing facilities. In addition, we revised the total number of respondents and responses based on the number of wind energy projects the Service reviewed in fiscal year 2013. These changes are reflected in the tables below (see questions 12 and 13). We have decreased our estimates for the total number of respondents. Tier 4 responses have increased in proportion to the total number of respondents; however, the number reflected in the tables below is less than what we provided in our previous information collection request.

A third commenter noted that the burden estimates are dependent upon the size of the project, complexity of the issues, experience and equipment needs of the consultant as well as previous information available for the site. We agree that the factors listed all affect estimates of project costs.

Ways to enhance the quality, utility, and clarity of the information to be collected.

Regarding the quality of the data, several commenters felt that there should be a standardized methodology for collection of pre- and post-construction data. We agree that standardized methodologies are ideal. The Guidelines encourage the use of common methods and metrics. Such standardization allows for comparisons among projects, and provides some certainty regarding what will be asked of a developer for specific projects. However, because of the need for flexibility in application, the Guidelines do not make specific recommendations on protocol elements for pre- and post-construction studies. The Service's wind energy website, and the Guidelines, direct developers to tools and resources that have been developed and compiled through collaborative efforts and partnerships between Federal, State and tribal agencies, wind energy developers and NGOs interested in wind energy-wildlife interactions. We received comments on specific survey methodologies and study design considerations, which detailed the manner in which studies should be designed, executed, and evaluated, and provided analysis of the usefulness and efficacy of certain pre- and post-construction survey methods. As noted, the Guidelines do not recommend certain methods over others, and instead point users to methods generally accepted by the wind-wildlife community as scientifically valid with an aim towards greater consistency.

One commenter suggested that in addition to standardized data collection, post-construction fatality monitoring should also be automated using new and emerging technologies, and that these automated systems should be required as conditions of receiving incidental take permits under the Endangered Species Act or Bald and Golden Eagle Protection Act. This suggestion

extends beyond the purview of the Guidelines in terms of permitting requirements. In addition, we do not have sufficient information about these systems at this time to evaluate their efficacy. If such technologies become a reality, their use, along with a suite of other existing tools, could potentially improve estimates of strike-related fatalities at wind energy facilities.

Regarding the utility of the data, one commenter questioned whether the use of voluntary guidelines is effective due to a lack of use by public and private entities. The commenter referenced a map that shows that wind energy facilities have been, and continue to be, developed in areas of high risk to migratory birds, contrary to the purpose of the Guidelines to guide development away from areas of highest risk to more suitable areas. We are currently in the process of evaluating the efficacy and use of the Guidelines, and the Service is considering regulatory options. Based on feedback from the wind energy industry, and from Service staff, the Guidelines are often successful in improving communication and lead to development of wind projects that are safer for wildlife, but in other cases, are not successful in preventing wind energy facilities from being constructed in areas of high risk to wildlife.

Regarding clarity, several commenters indicated the need for greater transparency in pre- and post-construction monitoring results, study design and protocol, and adaptive management plans. Several reasons were given regarding the need for greater transparency, including facilitating study replication and consistency, allowing public evaluation of the effectiveness of the Guidelines, improved quality of information collected, and the need for greater public oversight generally. It was noted that often, these data are treated as proprietary information, or are considered as “confidential business information” and are withheld from requests made via the Freedom of Information Act. While we agree that the public availability of data would facilitate greater oversight, improved consistency and comparability in study design and results, and improved landscape-level and cumulative effects analyses, we do not have the authority to require companies to share data that they own. Often, we receive reports that contain an analysis of data collected, and not the raw data itself. The information that is provided to us will continue to be evaluated on a case-by-case basis when it is requested via the Freedom of Information Act. We are developing tools that would allow companies to transmit fatality monitoring data via an online system that would provide anonymity but still make the data available. We will continue to pursue other means of increasing the transparency of information related to study methodology and fatality data.

Ways to minimize the burden of the collection of information on respondents.

One commenter felt that the burden of adhering to the Guidelines is adequately compensated for by the discretion that will be exercised by the Office of Law Enforcement should violations of the Migratory Bird Treaty Act (MBTA) or Bald and Golden Eagle Protection Act (BGEPA) occur. This comment has been noted, although it does not provide suggestions for ways to further minimize the burden of the information collection. We also received a comment suggesting burdens could be minimized through use of “desktop tools” or existing, publicly available information online in Tiers 1 and 2, and by siting projects in areas with minimal risk to rare, threatened, and endangered species. We agree with the commenter that use of existing information reduces the burden on respondents. The Guidelines encourage use of credible, publicly available information including published studies, technical reports, databases, and information from agencies, local conservation organizations, and/or local experts. We also agree that burdens are reduced by siting projects in areas with least risk to wildlife and their habitats, and note that this is exactly what we hope to accomplish by working with developers to implement the Guidelines.

Other comments

Several other comments were provided that were not pertinent to the questions asked in the notice. These comments addressed regulatory tools for migratory bird conservation; BGEPA programmatic permits for incidental take of eagles; suggestions for what types of mitigation methods should be acceptable as compensation for loss of protected species; enforcement actions by the Office of Law Enforcement against wind facilities compared with other energy technologies; splitting environmental study responsibilities among separate consultants; and stakeholder involvement in the development of adaptive management plans. One commenter also noted that the Service did not estimate the burden on the public to access the information collected via Freedom of Information Act requests, administrative appeals, and lawsuits. The Paperwork Reduction Act requires that we analyze the burden placed on those who submit information to us, not on the burden of others attempting to access that information. However, it does require collections to have practical utility, and the FWS considers ways to make the data more useful for the public, as appropriate.

In addition to the *Federal Register* notice, we contacted the following individuals involved in the development and operation of wind energy projects to obtain their views on the clarity of instructions, length of time to make application, burden hours, etc.:

| NAME | ORGANIZATION | EMAIL ADDRESS |
|-----------------|----------------------|-----------------------------------|
| Alyssa Edwards | EDF Renewable Energy | Alyssa.Edwards@edf-re.com |
| Mike Pappalardo | NextEra Energy | mike.pappalardo@nexteraenergy.com |
| James Atkinson | Allete, Inc. | jbatkinson@allete.com |
| Jerry Roppe | Iberdrola Renewables | jerry.roppe@iberdrolaren.com |
| Dave Phillips | Apex Clean Energy | dave.phillips@apexcleanenergy.com |
| Bob Roy | First Wind | rroy@firstwind.com |
| Jason Funk | EDP Renewables | Jason.Funk@edpr.com |

We did not receive a response from any of the individuals contacted. We did receive an inquiry from an attorney with K&L Gates LLP, indicating that he had been contacted by several wind energy companies who had concerns about the confidentiality of any information that would be provided to the Service as part of our limited outreach. We indicated that responses would be subject to the Freedom of Information Act, if such a request were made, and made ourselves available to answer any additional questions. We received no further response from any wind energy companies or from K&L Gates LLP.

Lastly, we surveyed wind energy industry representatives via an approved Information collection (OMB Control No. 1090-0011). We emailed the survey to 48 individuals from the wind energy industry that attended or registered for training sessions in Guidelines implementation, and left the survey open for 4 months. Survey responses were anonymous. We contacted the American Wind Energy Association (AWEA), a national wind industry trade association, to obtain a broader list of recipients. AWEA declined to provide a list, citing a concern with perceived favoritism of certain member companies over others. Although individual responses were anonymous, we were able to ascertain that 16 individuals from 15 companies responded to the survey. The 15 companies that responded operate a total of approximately 32,000 MW of wind facilities in the U.S., or about half of the country's total installed capacity. The companies

have a total of 14,816 MW in development. This information was gathered from the companies' websites and from AWEA. The attached report discusses the results of the survey.

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

We do not provide any gift or payment 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 to respondents.

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 a total of 160 annual responses totaling 707,430 annual burden hours for this collection. The dollar value of the annual burden hours is approximately \$40,726,746 (rounded).

| ACTIVITY (Reporting and recordkeeping) | NUMBER OF RESPONDENTS | NUMBER OF RESPONSES | COMPLETION TIME PER RESPONSE (HRS) | TOTAL ANNUAL BURDEN HOURS | TOTAL DOLLAR VALUE OF BURDEN HOURS (@\$57.57/hr) (rounded) |
|--|-----------------------|---------------------|------------------------------------|---------------------------|--|
| Tier 1 (Desktop Analysis) | 40 | 40 | 81 | 3,240 | \$186,527 |
| Tier 2 (Site Characterization) | 35 | 35 | 369 | 12,915 | \$743,517 |
| Tier 3 (Pre-construction studies) | 30 | 30 | 14,695 | 440,850 | \$25,379,735 |
| Tier 4 (Post-construction fatality monitoring and habitat studies) | 45 | 45 | 4,023 | 181,035 | \$10,422,185 |
| Tier 5 (Other post-construction studies) | 10 | 10 | 6,939 | 69,390 | \$3,994,782 |
| TOTALS | 160 | 160 | | 707,430 | \$40,726,746 |

The frequency of responses will depend on how quickly the developer moves through the development process. We estimate that within any given year, there may be 160 projects in various stages of development and operation that are voluntarily using the Guidelines. This estimate was developed using wind energy projects logged as work activities by U.S. Fish and Wildlife Service Ecological Field Office staff, and staff assessments of the percentage of project developers using the guidelines. The estimate of completion time per response was adjusted based upon public comment from the wind energy industry. The duration and intensity of surveys conducted for each project will vary widely based on the species present and level of risk of impacts. The estimates assume that developers will conduct comprehensive surveys and monitoring at Tiers 3 and 4. For Tier 3, the estimate is very high because it includes every type of pre-construction monitoring study that could potentially be conducted. It is more likely that a selection of these studies will be performed at any given site, depending on the species of concern identified, and other site-specific conditions.

For purposes of this collection, we have determined the hourly rate, including benefits, to be \$57.57. We base this labor cost on the national mean hourly wage of an environmental engineer of \$41.12 (May 2013, U.S. Bureau of Labor Statistics, <http://www.bls.gov/oes/current/oes172081.htm>). We multiplied the hourly rate by 1.4 to account for benefits in accordance with BLS news release USDL 14-2208, December 10, 2014, Employer Costs for Employee Compensation - September 2014 (<http://www.bls.gov/news.release/pdf/ecec.pdf>).

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

We estimate the total annual nonhour burden cost to be \$7,187,265. By Tier, these costs are estimated to be as follows:

| ACTIVITY | NUMBER OF RESPONSES | COST PER RESPONSE | TOTAL ESTIMATED ANNUAL NONHOUR COST BURDEN |
|--|---------------------|-------------------|--|
| Tier 1 (Desktop Analysis) | 40 | \$825 | \$33,000 |
| Tier 2 (Site Characterization) | 35 | \$3,750 | \$131,250 |
| Tier 3 (Pre-construction studies) | 30 | \$149,288 | \$4,478,640 |
| Tier 4 (Post-construction fatality monitoring and habitat studies) | 45 | \$40,875 | \$1,839,375 |
| Tier 5 (Other post-construction studies) | 10 | \$70,500 | \$705,000 |
| TOTALS | 160 | | \$7,187,265 |

Costs will depend on the complexity of issues associated with each project. These expenses may include, but are not limited to, the following: travel expenses for site visits, studies conducted, and meetings with the Service and other Federal and State agencies; training in survey methodologies; data management; special transportation such as ATV or helicopter; and equipment needed for acoustic, telemetry, or radar monitoring, and carcass storage. As noted above, the estimate for Tier 3 should be considered very high because it includes every type of pre-construction monitoring study that could potentially be conducted. It is more likely that a selection of these studies will be performed at any given site, depending on the species of concern identified, and other site-specific conditions. The estimated costs were revised based upon the public comment received from the wind energy industry.

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

We estimate the total annual cost to the Federal Government to administer this information collection will be \$278,500. The table below shows the tasks and staff hours associated with providing technical assistance to developers at each Tier of the Guidelines. Hourly wages were obtained from the Office of Personnel Management’s Salary Table 2014-RUS (http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/14Tables/html/RUS_h.aspx). To calculate benefits, we multiplied the hourly rate by 1.5 in accordance with BLS news release USDL 14-2208.

| Tasks | Number of Responses | Grade Level and Hours | | | | | |
|---|---------------------|-----------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| | | GS 11/step 5 | | GS 12/step 5 | | GS 13/step 5 | |
| | | Hours Per Response | Total Annual Hours | Hours Per Response | Total Annual Hours | Hours Per Response | Total Annual Hours |
| Tier 1: Provide lists of data sources and references requested by developer. | 40 | 1 | 40 | 1 | 40 | | |
| Tier 2: Provide requested information such as species lists. | 35 | 2 | 70 | 2 | 70 | 1 | 35 |
| Tier 2: Review any survey results provided by developer and identify initial concerns based on available information. | 35 | 10 | 350 | 2 | 70 | 2 | 70 |
| Tier 2: Coordinate with other applicable Federal and State agencies and tribes. | 35 | 8 | 280 | 2 | 70 | 1 | 35 |

| | | | | | | | |
|---|----|----|------------------|----|-----------------|---|-----------------|
| Tier 3: Advise developers on appropriate study methods; based on study results, advise developers on mitigation. | 30 | 40 | 1,200 | 4 | 120 | 2 | 60 |
| Tier 3: Coordinate with other applicable Federal and State agencies and tribes. | 30 | 8 | 240 | 8 | 240 | 2 | 60 |
| Tier 4: Advise project operator on monitoring design and on any appropriate mitigation. | 45 | 40 | 1,800 | 4 | 180 | 1 | 45 |
| Tier 5: Advise project operator on need for Tier 5 research and research design; advise developer on appropriate mitigation | 10 | 40 | 400 | 10 | 100 | 1 | 10 |
| Total hours | | | 4,380 | | 890 | | 315 |
| Cost per hour, including benefits | | | \$47.24 | | \$56.61 | | \$67.32 |
| Total cost per grade level (rounded) | | | \$206,911 | | \$50,383 | | \$21,206 |

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

We are reporting 160 annual responses, 707,430 annual burden hours, and \$7,187,265 in nonhour burden costs. This is a net decrease adjustment of 240 responses, a net increase of 271,830 annual burden hours, and a net decrease of \$2,052,744 in nonhour burden costs. We based these adjustments on our experience in administering this collection and comments received from our survey and 60-day notice.

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

We will not publish the results of this collection.

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 on appropriate materials.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.