SUPPORTING STATEMENT A FOR
PAPERWORK REDUCTION ACT SUBMISSION

Federal Fish and Wildlife Permit Applications and Reports –
Native Endangered and Threatened Species; 50 CFR 10, 13, and 17

OMB Control Number 1018-0094

Terms of Clearance: This nonsubstantive change request submission is in response to OMB's March 2018 approval that included the following Terms of Clearance (see highlighted updates in questions 2, 8, and 10):

1. **Conduct additional outreach to 3 people (for each respondent category) for all ICs that have more than 1,000 burden hours) – 24 people total;**
2. **Provide copies of all applicable HCP instructions/guidance; and,**
3. **Provide copy of most current SORN.**

We made no other changes to the previously submitted information.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The Endangered Species Act (Act) (16 U.S.C. 1531 et seq.) was established to provide a means to conserve the ecosystems upon which endangered and threatened species depend, to provide a program for the conservation of these endangered and threatened species, and to take the appropriate steps that are necessary to bring any endangered or threatened species to the point where measures provided for under the Act are no longer necessary. Section 10(a)(1)(A) of the Act authorizes us to issue permits for otherwise prohibited activities in order to enhance the propagation or survival of the affected species. ESA Section 10(d) requires that such permits be applied for in good faith and, if granted, will not operate to the disadvantage of endangered species, and will be consistent with the purposes of the Act.

We (the U.S. Fish and Wildlife Service, Service) collect information associated with application forms 3-200-54, 3-200-55, 3-200-56, associated permits issued based on these applications, and annual report forms 3-202-55b, c, d, e, and f to determine the eligibility of applicants for permits requested in accordance with the criteria in Section 10 of the Act.

Our regulations implementing this statute are in Chapter I, Subchapter B of Title 50 of the Code of Federal Regulations (CFR) (50 CFR 13 and 50 CFR 17). The regulations stipulate general and specific requirements that, when met, allow us to issue permits to authorize activities that are otherwise prohibited.

Upon receipt of a complete application, the Director may issue a permit authorizing any activity otherwise prohibited by §17.21, in accordance with the issuance criteria of this section, for scientific purposes, for enhancing the propagation or survival, or for the incidental taking of endangered wildlife. Such permits may authorize a single transaction, a series of transactions, or a number of activities over a specific period of time. (See §17.32 for permits for threatened species.)

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

All Service permit applications are in the 3-200 series of forms, each tailored to a specific activity based on the requirements for specific types of permits. We collect standard identifier information for all applications for permits, such as the name of the applicant and the applicant's address, telephone numbers, if applicable, tax identification number, email address, description of activity being requested under the Endangered Species Act (ESA), and, after the permit has been issued, a report (description of activity that was conducted under that permit). Standardization of general information common to the application forms makes the filing of applications easier for the public and helps to expedite our review.

The information that we collect on applications and reports is the minimum necessary for us to determine if the applicant meets/continues to meet issuance requirements for the particular activity they are requesting to conduct with respect to endangered and threatened species. Respondents submit application forms periodically as needed. Submission of reports is generally on an annual basis, but for some activities, (such as activities associated with sea turtles), may be on a more frequent basis, as needed (see those specific reporting forms). This information collection request (ICR) includes minor modifications to the layout and content of the currently approved application forms so that they:

(a) are easier to understand and complete,
(b) minimize the number of completed pages the applicant must submit, and
(c) accommodate future electronic permitting.

We use the following permit application forms for activities associated with native endangered and threatened species:

- **FWS Form 3-200-54** - Enhancement of Survival Permits Associated with Safe Harbor Agreements and Candidate Conservation Agreements with Assurances.

- **FWS Form 3-200-55** - Permits for Scientific Purposes, Enhancement of Propagation or Survival (i.e, Recovery) and Interstate Commerce.

- **FWS Form 3-200-56** - Incidental Take Permits Associated with a Habitat Conservation Plan.

In addition to the application forms, permit holders must submit the reports in accordance with their permits issued based on 50 CFR 17. Some Service annual reports associated with permits are in the 3-202 series of forms, each tailored to a specific activity based on the requirements for specific types of permits. In some cases, specific information collection forms have been developed to facilitate and standardize the reporting and review, and to facilitate development of electronic forms and electronic reporting and retrieval of that information.

Annual reporting of the results subsequent to the activity authorized by the permit is required in most cases (under the authority of section 10(a)(1)(A) of the ESA and its implementing regulations at 50 CFR 17.) These reports allow us to evaluate the success of the project, formulate further research, and develop and adjust management and recovery plans for the species. The following reports have been developed that are specific to particular species.

- **Annual Report Form 3-202-55b** for activities associated with Native Endangered and Threatened Species Permits Under The Endangered Species Act (ESA Recovery Permits: Region 3 Bat Reporting Spreadsheet).

- **Annual Report Form 3-202-55c** for activities associated with Native Endangered and Threatened Species Permits Under The Endangered Species Act (ESA Recovery Permits: Region 4 Bat Reporting Spreadsheet).

- **Annual Report Form 3-202-55d** for activities associated with Native Endangered and Threatened Species Permits Under The Endangered Species Act (ESA Recovery Permits: Region 5 Bat Reporting Spreadsheet).

- **Annual Report Form 3-202-55e** for activities associated with Native Endangered and Threatened Species Permits Under The Endangered Species Act (ESA Recovery Permits: Region 6 Bat Reporting Spreadsheet).

- **FWS Form 3-202-55f** (Non-Releasable Sea Turtle Annual Report).

- **FWS Form 3-202-55g** (Sea Turtle Rehabilitation Quarterly Report Form).

Additionally,

- Private landowners who have an Enhancement of Survival Permit (and accompanying Safe Harbor Agreement or Candidate Conservation Agreement with Assurances) must notify us if their land management activities incidentally take a listed or candidate species covered under their permit.

- We issue Enhancement of Survival Permits to the landowners, and their name is printed on the permit. If ownership of the land changes, this permit does not automatically transfer to the new landowner. Therefore, we ask the permittee to notify us if there is a change in land ownership so that we may update the permit.

If a recovery or interstate commerce permit authorizes activities that include keeping wildlife in captivity, we ask the permittee to notify us if any of the captive wildlife escape.

The Service's Habitat Conservation Plan (HCP) handbook can be accessed online at: https://www.fws.gov/endangered/what-we-do/hcp_handbook-chapters.html. We made not changes to the previously submitted copy of the handbook (ver. 12/21/2016) provided to OMB as a supplemental document in ROCIS. We are now providing copies of additional general information and additional instructions available to the public (https://www.fws.gov/midwest/endangered/permits/hcp/index.html) with this NSC submission.

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.

Forms in this collection are available to applicants in a fillable format on our forms and permits websites, by mail, or by fax. Applicants may complete the fillable portion of the application forms in Adobe acrobat, but must send the application form with an original signature and the applicable processing fee by mail. Applicants may send supporting information by email or fax, if we already have their application and they are able to reference an application number.

The Service has a system for electronic submission of permit application forms, processing fees, or reports. In January 2013, the Service launched a web–based e-Permits system that allows the public to complete certain application forms for permits, submit the completed forms to us, pay application processing fee, and submit the required reports to us in electronic format –via the e-Permits website. One Service permit application form is already available to the public via the e-Permits website. The Service is in the process of converting the remainder of the permit application forms into the e-Permits system, and we are currently pilot testing two Service permit application forms that have current OMB approval.

Some reports are available on our website, see https://www.fws.gov/Midwest/endangered/mammals/inba/inbasummersurveyguidance.html.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The information is unique to the applicant and/or permittee with respect to the particular research, project, HCP, or Safe Harbor Agreement (SHA), and is not available from any other source. ***We do, when feasible, coordinate with State wildlife agencies, regarding collection of information.*** Other than the general information standard for each application, collection of duplicate information is minimal. We retain application information in the FWS permitting system (SPITS) to eliminate repeat or duplicate requests in the case of renewals, extensions, or repeat applications.

We retain information from original applications so permittees do not have to submit duplicate information that is unchanged for new permits or to amend existing permits. We developed an electronic permit issuance and tracking system that allows for retrieval of file information, further reducing duplicate information requests for use in renewals, extensions, and repeat applications.

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

This collection will not have a significant impact on small entities. The collection of information is voluntary, and we use the information collected to implement Section 10 of the Endangered Species Act. Descriptions of the types of permits under ESA Section 10 follow.

HCPs. If a non-Federal entity believes their activities may result in "take" of threatened or endangered wildlife, they may voluntarily seek an incidental take permit (ITP) to avoid potential violation of section 9 of the ESA. The ITP authorizes take of a listed species incidental to an otherwise lawful activity, but does not to authorize the activities that result in take.

To apply for an ITP under section under section 10(a)(1)(B) of the ESA, an applicant is required to develop an HCP that meets specific requirements identified in section 10(a)(2)(A) of the ESA and its implementing regulations at 50 CFR 17.22 and 17.32, 50 CFR 222.25, 222.27, and 222.31. Among these and other requirements, the plan must describe the covered activities, describe and quantify the impacts that are likely to result from the taking, the measures to be undertaken to minimize and mitigate such impacts, and the funding that will be available to implement the HCP. The HCP is the applicant's document. On December 21, 2016 (81 FR 93702), the Service and the National Marine Fisheries Service announced the availability of the final revision of its joint Habitat Conservation Planning (HCP) Handbook, which describes requirements, procedures, and guidance for developing the HCP and ITP permit issuance. The

HCP Handbook was initially released in 1996, and revised by addendum in July 2000. For additional information on HCPs, see https://www.fws.gov/endangered/esa-library/pdf/HCP_Handbook.pdf.

SHA and Candidate Conservation Agreements (CCAAs). On June 17, 1999, the Service issued two policies and published revisions of its regulations to add two categories of permits to enhance the propagation or survival of listed, proposed, candidate, and other at-risk species. On May 4, 2016, the Service published a proposed rule: "Revisions to the Regulations for Candidate Conservation Agreements With Assurances." One category, called ''permits for the enhancement of survival through Safe Harbor Agreements,'' is detailed at 50 CFR 17.22(c) and 17.32(c) (for endangered and threatened species, respectively), and in the Safe Harbor Policy (64 FR 32717). The other category, called ''permits for the enhancement of survival through Candidate Conservation Agreements with Assurances,'' is detailed at 50 CFR 17.22(d) and 17.32(d) (for endangered and threatened species, respectively), and in the Candidate Conservation Agreements with Assurances Policy (64 FR 32726). The Safe Harbor policy and associated regulations are intended to facilitate the conservation of listed species through a collaborative approach with non-Federal property owners.

The policy and regulations are designed to create incentives for non-Federal property owners to implement voluntary conservation measures for certain listed species by providing certainty with regard to possible future restrictions should the covered species later become more numerous as a result of the actions taken by the non-Federal cooperator. Non-Federal property owners, who through a Safe Harbor Agreement commit to implement voluntary conservation measures for a listed species, will receive assurances that no additional future regulatory restrictions will be imposed. When the property owner meets the issuance criteria of the regulations we will issue an enhancement of survival permit under section (10)(a)(1)(A) of the Act, authorizing incidental taking of the covered species at a level that enables the property owner to return the property back to population levels or habitat conditions agreed upon as baseline. Before issuing such a permit, we must make a written finding that all covered species in the SHA will receive a net conservation benefit from management actions taken pursuant to the agreement.

Candidate Conservation Agreements with Assurances are voluntary agreements between us and non-Federal property owners to benefit proposed species, candidate species, and species likely to become candidates in the near future. Under a CCAA, non-Federal property owners commit to implement mutually agreed upon conservation measures which, when combined with benefits that would be achieved if it is assumed that those conservation measures were to be implemented on other necessary properties, would preclude the need to list the covered species. In return for the cooperator's proactive management, we provide an enhancement of survival permit under section 10(a)(1)(A) of the Act, which, if the species were to become listed, would authorize take of individuals or the modification of habitat conditions to the levels specified in the CCAA. For additional information on SHAs or CCAAs, please see https://www.fws.gov/endangered/esa-library/index.html.

Recovery and Research Permits (3-200-55, and 3-202-55b, c, d, e, f). For endangered species, permits may be issued for scientific research, enhancement of propagation or survival, and taking that is incidental to an otherwise lawful activity. For threatened species, in addition to the above activities, permits also may be issued for zoological, horticultural, or botanical exhibition; educational use; and special purposes consistent with the ESA. Reports describing activities conducted and results are required and associated with these permits.

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.

If we do not collect the information or if we collected the information less frequently, we could not implement many wildlife protection programs that are mandated by law. Further, we could not issue applicants a permit, certificate, or authorization letter, since the collected information is either required on the permit, certificate, or authorization itself, or is needed to make the necessary biological and legal findings under applicable statutes and treaties. In certain cases where programmatic, biological, and/or legal findings can be made as a result of an initial application, we can use a less burdensome process for subsequent requests, as long as the information provided to make the original findings remains the same.

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.**

No special circumstances exist that require us to collect the information in a manner inconsistent with OMB guidelines.

8. If applicable, provide a copy and identify 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 and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

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.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years — even if

the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

In response to OMB's "Terms of Clearance" with the March 2018 approval of this collection, we contacted twenty-four (24) individuals to solicit feedback on the ICs with a total burden hour of 1,000 hours or more as follows:

- **Recovery/Interstate Commerce (Annual Report)** - *9 people total (3 each for individual, private sector, and government respondents)*
- **Habitat Conservation Plan (Annual Report)** - *6 people total (3 each for individual and private sector (no government requirement as that IC is less than 1,000 hours total))*
- **Habitat Conservation Plan (Plan)** - *9 people total (3 each for individual, private sector, and government respondents)*

Individuals contacted as part of the required additional outreach are as follows:

IC/Category	Organization	Title
Recovery/Interstate Commerce (Annual Report)		
Individual	None	Private Citizen
Individual	None	Private Citizen
Individual	None	Private Citizen
Private Sector	ABR, Inc.	Research Biologist
Private Sector	Bowen Collins	Biologist/Environmental Scientist
Private Sector	HDR, Inc.	Director of Conservation Science and Stewardship
Government	Washington State Department of Natural Resources	Fish and Wildlife Biologist
Government	Colorado Parks and Wildlife	Hatchery Superintendent
Government	Oregon State University	Assistant Professor
Habitat Conservation Plan (Annual Report)		
Individual	None	Private Citizen
Individual	None	Private Citizen
Individual	None	Private Citizen
Private Sector	Lennar Corporation	Director of Land Development
Private Sector	Skookumchuck Wind Energy LLC	Permitting Director
Private Sector	Orange County School District	Facilities Chief
Habitat Conservation Plan (Plan)		
Individual	None	Private Citizen
Individual	None	Private Citizen
Individual	None	Private Citizen
Private Sector	Na Pua Makani Power Partners LLC	Manager
Private Sector	Cyanotech Aquaculture Facility	Executive Vice President
Private Sector	Twin Creeks Timber LLC	President and LP Manager
Government	Massachusetts Division of Fisheries and Wildlife	Deputy Director

Government	Washington State Department of Natural Resources	Acting Deputy Supervisor for State Uplands
Government	City of Tumwater	City Engineer

We contacted the individuals listed above, who are all familiar with this collection of information, in order to validate our time burden estimates and asked for comments on the questions below:

"***Whether or not the collection of information is necessary, including whether or not the information will have practical utility; whether there are any questions they felt were unnecessary"***

Comments:

Recovery/Interstate Commerce Permits: One individual stated they thought the information required in the reporting information collection is necessary and relatively succinct. None felt the collection was unnecessary or would not have practical utility.

HCPs (Annual Report/Plan): None of the respondents indicated any complaints with the information collection. Three felt the estimates were accurate, while two stated the information requested was not onerous or appear unnecessary.

FWS Response/Action Taken:

Recovery/Interstate Commerce Permits: None required.
HCPs (Annual Report/Plan): None required.

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

Comments:

Recovery/Interstate Commerce Permits: Two respondents indicated that the amount of time to prepare the information collection depends on the complexity of the permit activities and scope of work during a given permitting period. One individual noted they were unable to estimate hour burden, as they would soon be preparing their first annual report for their issued permits; however, they indicated they expected preparation time would be brief based on the nature of their activities for the year. While, no respondents provided specific estimates related to completion of the 3-202 annual reporting form series, one commenter did provide an estimate in hours for annual reporting in general and indicated a range of approximately 2 to 15 hours is generally needed, depending on the number of projects and project components being reported and how different the scope of their work is from year to year.

HCPs (Annual Report/Plan): Two commenters indicated that the estimates were accurate for their project. However, regarding the annual report, one commenter indicated that it takes approximately 40 days to collect, review, and develop the annual report for their HCP that covers approximately 300,000 acres. While it takes only 5 days to collect, review, and develop the annual report for an HCP that covers 20,000 acres. They also found the collection of this information necessary and useful for the long-term management of the property covered by the HCP and in some cases the collection serves a dual role to meet other regulatory compliance requirements.

FWS Response/Action Taken:

Recovery/Interstate Commerce Permits: We expect a wide range of time estimates due to the varying complexity of the collection. However, based on our experience administering the collection, we believe our estimates represent an accurate average of time and did not adjust our estimate based on this feedback.

HCPs (Annual Report/Plan): We expect a wide range of time estimates due to the varying complexity of the collection. However, based on our experience of administering the collection, we believe our estimates represent an accurate time average and did not adjust our estimate based on this feedback.

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

Comments:

Recovery/Interstate Commerce Permits: Two individuals suggested the Service create an online permitting/reporting system to better address these potential enhancements. One individual suggested providing a description of how the USFWS uses the data the permittees submit as part of their annual reports, which would be helpful and may inform how the permittees structure their permit reports or summarize data in the future. Another individual indicated they had no suggestions for improvements because the requirements are clear, and that while some requirements or requests (e.g., need for a hard copy vs. an electronic copy of certain documents) may differ slightly from one region to another, this does not present a problem, as the requirements are clearly stated. No additional suggestions to enhance the quality, utility, or clarity of the reporting information collection were provided.

HCPs (Annual Report/Plan): One commenter offered an example of how they streamlined the process by transitioning from providing multiple hard copies to digital submittals to the Service, which provided time and cost savings. One other suggested that we should consider a one page permit application form for renewals and asked that we search for ways to improve and streamline the process of developing the HCP and gaining permit approvals.

FWS Response/Action Taken

Recovery/Interstate Commerce Permits: The Service has been taking steps to develop an e-permit system to streamline and increase efficiencies in our permit processes. As we continue our development efforts, we will consider how we can best improve clarity (e.g., on how the information is used) to assist permittees with future annual reporting information collections, such as by adding narrative to the e-permit system's reporting platform, and/or other permit documents.

HCPs (Annual Report/Plan): We will consider condensing the permit application for ITP renewals as suggested. Most of the respondents did not have the advantage of utilizing the 2016 HCP Handbook to assist and guide them with developing their HCP or monitoring reports because they began the HCP process during or prior to 2016 and the new handbook had not yet been finalized or available the public, and were thus reporting on their experiences prior to the handbook's availability. All new applicants are now directed to the handbook on our website, and thus the process should now be easier and this should no

longer be an issue. Since the main goals of the HCP Handbook revision were to streamline and improve the HCP process, as well as provide clarification regarding often-confusing concepts, we expect future respondents will have a better experience. Additionally, since the Handbook is designed to be a "living document", we will continue to update and revise the HCP Handbook as issues and concerns arise.

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

Comments:

Recovery/Interstate Commerce Permits: One individual stated the reporting does entail some degree of effort, but acknowledged this was expected given the scope and complexity of the work, and stated the process seems to be working fine. Two individuals noted that having an online reporting tool would be helpful, although one of those individuals also offered that the current process is not too burdensome. No additional suggestions were offered to minimize the burden of the reporting information collection.

HCPs (Annual Report/Plan): Three respondents in general, suggest that there is room for improvement to streamline the overall process of developing the HCP and gaining approvals but did not identify any specific tasks the Service should take to achieve this goal. One found the GIS information collection requirement the greatest burden, but the information was useful. As previously mentioned, one respondent recommended a shorter form be developed for permit renewals or amendments.

FWS Response/Action Taken:

Recovery/Interstate Commerce Permits: We are continuing to seek out ways to provide streamlining efficiencies where feasible, including efforts to develop an e-permitting system Service-wide, as noted above. Additionally, we are considering whether developing a robust reporting component as part of that system would assist permittees in reducing their burden for the annual reporting information collection. We are also planning to submit a generic recovery permit reporting form and a Region-specific summary reporting form to OMB via the Fast Track testing process that could be used for a variety of species and permit activities within the next 6 months. These forms would help permittees both have a streamlined reporting option (generic reporting form) and track their reporting needs (summary reporting form).

HCPs (Annual Report/Plan): As stated above, most of the respondents did not have the advantage of utilizing the 2016 HCP Handbook to assist and guide them with developing their HCP or monitoring reports. Since the main goals of the HCP Handbook revision were to streamline the HCP process and provide clarification regarding often confusing concepts, we expect future respondents will have a better experience. Additionally, as the Handbook was designed to be a "living document", we will continue to update and revise the HCP Handbook as issues and concerns arise. We are also continuing to seek out ways of improving processing of permits and compliance with the various laws that affect the HCP process. We are currently undertaking efforts to streamline the HCP process, such as updates to the handbook (as needed), to reduce completion time.

Additional comments received during the outreach:

Comments:

Recovery/Interstate Commerce Permits: Improvements could be made to the permitting process in general, for example:

- Fillable forms and links to resources. One individual stated that the use of fillable forms or tables would be helpful to reduce the time it takes to complete applications. They also noted that providing links to Service resources (such as the Service's Environmental Conservation Online System [ECOS]) would enable faster completion of forms. *(Note: While this comment was directed at the permitting process in general, we recognize a similar utility would likely be beneficial for the reporting information collection as well.)*
- Duration of and complexity of the permitting process. One individual indicated the lengthiness of the permitting process was a frustration, particularly where an amendment was similar to a previously reviewed or approved change (e.g., in another time period or location). Another individual noted the overall time-consuming nature of processing permits and amendments or determining whether a permit is required for certain activities, and indicated that there are conservation consequences when substantial delays occur. They further noted that such comments were not being provided as criticism of USFWS or its staff, but provided recognition of the importance of this process and the apparently increasing amount of time needed to review permit applications likely due to limitations in staffing workload and/or funding. One individual noted that while the permit process can be time consuming to navigate the first time through, they found renewals were easier once the initial learning curve was established.
- Permitted activity types. One individual noted greater clarity would be helpful in distinguishing between types of activities covered under permits (new/one-time permits vs. ongoing/multi-permit efforts). They also suggested greater clarity in describing the difference major and minor amendments when these are being considered or requested by the permittee after a permit has been issued
- A more interactive/collaborative process. One individual suggested a more interactive/collaborative process to address questions related to activities and permit conditions to greater efficiency and effectiveness, although they recognized that Service staffing and funding limitations may make such coordination difficult. Another individual noted that a collaborative review effort between the Service and certain applicants for cumulative or longer impacts of ongoing activities may be beneficial
- Qualifications of permittees – one respondent suggested the Service reconsider some of the qualifications required for permittees to conduct certain types of surveys. Another applicant suggested the Service develop a standard statement of qualifications in lieu of requesting a resume or curriculum vitae.

HCPs (Annual Report/Plan): No additional comments were received pertaining to this inquiry, but one respondent provided commentary of their experience related specifically to their project. The comments provided were not related to the questions asked.

FWS Response/Action Taken:

Recovery/Interstate Commerce Permits: Most, if not all, of these suggestions may be addressed in large part by efforts to develop an e-permitting system Service-wide, which may allow us to better guide permittees and permit applicants through the permit application and reporting process, as well as facilitating renewals and amendments, and reduce the amount of time associated with the information collection overall. The use of such a system,

once developed and implemented, would likely allow for additional USFWS staff time for more interactive or collaborative discussions with applicant where these are requested or needed.

We are also reviewing our forms (e.g., reporting and application forms) to determine how to provide more clarity in the instructions and definitions so that permittees better understand how to complete their respective information collections associated with the permitting program--including applications, renewals, amendments, and reporting--reducing effort and the amount of additional time to complete the forms, particularly for applicants and permittees who may be less familiar with the process. For example, we are working on separating the recovery and interstate commerce approved application form into 2 forms, with instructions tailored to the needs of each permit type, and with updated fields and information for the applicants, and plan to submit those for testing via the Fast Track process within the next six months. We are also working on developing generic reporting forms that will allow better clarity in terms of reporting needs and promote efficiencies in terms of time and effort for permittees who choose to use them. We are planning to submit a generic recovery permit reporting form and a Region-specific summary reporting form to OMB via the Fast Track testing process that could be used for a variety of species and permit activities within the next 6 months. These forms would help permittees have both a streamlined reporting option (i.e., the generic reporting form) and track their reporting needs (i.e., the summary reporting form). When approved, we will make the various application and reporting forms fillable per some of the suggestions above.

HCPs (Annual Report/Plan): The respondent's comments were forwarded to the appropriate Regional Office for action.

Of the 24 individuals contacted, approximately half (13) responded to our request for comments, as summarized above, although 2 of those individuals noted they had no substantive comments to offer us. Despite repeated attempts to contact the remaining 11 individuals via email and phone calls, we did not receive comments from these individuals.

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. Information is collected and protected in accordance with the Privacy Act (5 U.S.C. § 552a) and the Freedom of Information Act (5 U.S.C. 552). We will maintain the information in a secure System of Records (**Permits System, FWS-21, September 4, 2003**, 68 FR 52610; modification published June 4, 2008, 73 FR 31877).

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. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

We do not ask questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- *** Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- *** If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- *** Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here.**

We estimate the total dollar value of the annual burden hours for this collection to be $4,233,334 (rounded). We estimate that there will be approximately 4,051 respondents annually for the applications and reports included in this ICR totaling 114,075 (rounded to match ROCIS) annual burden hours. The completion times for each information collection vary substantially depending on the complexity and geographic scope of the activity, as well as the number of species covered under the activity.

We used the Bureau of Labor Statistics news release USDL-16-2255, December 8, 2016, Employer Costs for Employee Compensation—September 2016, to calculate the total annual burden.

- Individuals. Table 1 lists the hourly rate for all workers $34.15, including benefits.
- Private Sector. Table 5 lists the hourly rate for all workers as $32.27, including benefits.
- Government. Table 3 lists the hourly rate for all workers as $45.93, including benefits.

Requirement	Annual Number of Respondents	Total Annual Responses	Completion Time per Response	Total Annual Burden Hours*	Hourly Labor Costs (Incl. Benefits)	Total Dollar Value of Burden Hours
SHA/CCAA						
Application (Form 3-200-54)						
Individuals	5	5	3	15	$34.15	$512.25
CCAAs**	2	2	30	60	34.15	2,049.00
SHAs**	3	3	30	90	34.15	3,073.50
Private Sector	21	21	3	63	32.27	2,033.01
CCAAs**	16	16	30	480	32.27	15,489.60
SHAs**	5	5	30	150	32.27	4,840.50
Government	7	7	3	21	45.93	964.53
CCAAs**	5	5	30	150	45.93	6,889.50
SHAs**	2	2	30	60	45.93	2,755.80
Annual Report						
Individuals	10	10	8	80	34.15	2,732.00
Private Sector	40	40	8	320	32.27	10,326.40
Government	14	14	8	112	45.93	5,144.16
Notifications (Incidental Take)						
Individuals	1	1	1	1	34.15	34.15

Notifications (Change in Land Owner)						
Individuals	1	1	1	1	34.15	34.15
RECOVERY/INTERSTATE COMMERCE						
Application (Form 3-200-55)						
Individuals**	280	280	3	840	34.15	28,686.00
Private Sector**	280	280	3	840	32.27	27,106.80
Government**	80	80	3	240	45.93	11,023.20
Annual Report						
Individuals	700	700	3	2,100	34.15	71,715.00
Private Sector	748	748	3	2,244	32.27	72,413.88
Government	800	800	3	2,400	45.93	110,232.00
Request to Revise List of Authorized Individuals						
Private Sector***	30	30	0.5	15	32.27	484.05
Annual Report - Form 3-202-55b (Region 3 Bat Reporting Spreadsheet)						
Individuals	15	15	2.5	38	34.15	1,297.70
Private Sector	15	15	2.5	38	32.27	1,226.26
Government	12	12	2.5	30	45.93	1,377.90
Annual Report - Form 3-202-55c (Region 4 Bat Reporting Spreadsheet)						
Individuals**	5	5	2.5	13	34.15	443.95
Private Sector**	5	5	2.5	13	32.27	419.51
Government**	5	5	2.5	13	45.93	597.09
Annual Report - Form 3-202-55d (Region 5 Bat Reporting Spreadsheet)						
Individuals**	5	5	2.5	13	34.15	443.95
Private Sector**	5	5	2.5	13	32.27	419.51
Government**	5	5	2.5	13	45.93	597.09
Annual Report - Form 3-202-55e (Region 6 Bat Reporting Spreadsheet)						
Individuals**	5	5	2.5	13	34.15	443.95
Private Sector**	5	5	2.5	13	32.27	419.51
Government**	5	5	2.5	13	45.93	597.09
Annual Report - Form 3-202-55f Non-Releasable Sea Turtle Annual Report						
Private Sector**	2	2	0.5	1	32.27	32.27
Government**	5	5	0.5	3	45.93	137.79
Quarterly Report - Form 3-202-55g Sea Turtle Rehabilitation						
Private Sector**	20	20	0.5	10	32.27	322.70
Notification (Escape of Wildlife)						
Private Sector	1	1	1	1	32.27	32.27
HABITAT CONSERVATION PLAN						
Application (Form 3-200-56)						
Individuals	30	30	3	90	34.15	3,073.50
Private Sector	40	40	3	120	32.27	3,872.40
Government	5	5	3	15	45.93	688.95
Annual Report						
Individuals	360	360	10	3,600	34.15	122,940.00
Private Sector	380	380	10	3,800	32.27	122,626.00
Government	25	25	10	250	45.93	11,482.50
Plan						
Individuals**	10	10	2,080	20,800	34.15	710,320.00
Private Sector**	20	20	2,080	41,600	32.27	1,342,432.00
Government**	16	16	2,080	33,280	45.93	1,528,550.40
Total	**4,051**	**4,051**		**114,075**		**$4,233,333.77**

* Rounded to match ROCIS

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

*** The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form**

processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

* **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
* **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

The estimated annual nonhour burden cost is estimated to be $59,550 for fees associated with permit applications and amendments. There is no fee associated with submission of reports. The estimated fees are based on the following using updated estimated responses from the burden table in question 12:

Requirement	Total Annual Responses	Amount	Total Estimated Fees
SHA/CCAA			
***Application* (Form 3-200-54)**			
Individuals	5	$50	$250
Private Sector	21	50	1,050
RECOVERY/INTERSTATE COMMERCE			
Application (Form 3-200-55)			
Individuals	280	95	26,600
Private Sector	280	95	26,600
HABITAT CONSERVATION PLAN			
Application (Form 3-200-56)			
Individuals	30	75	2,250
Private Sector	40	75	3,000
Total			**$59,750**

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

We estimate that the total cost to the Federal Government for processing and reviewing permit applications and reviewing reports as a result of this collection of information is $2,582,230 (rounded). These costs are primarily for staff time to review and process applications, issue permits, and review reports. For each permit application, we will receive forms, process information; determine eligibility for a permit; and advise applicants of their success, and review reports associated with permits. Time requirements to process applications and reports vary greatly (from 0.5 to 230 hours) depending upon the species, species status, number of species associated with applications and reports and the complexity of the requested activity as well as

its geographic scope.

Depending upon their geographic location, some employees are paid under a Federal salary table that includes locality pay. To determine average hourly rates, we used Office of Personnel Management Salary Table 2017-DC as an average nationwide rate. We used Bureau of Labor Statistics news release USDL-16-2255, December 8, 2016, Employer Costs for Employee Compensation—September 2016, to calculate the most current benefits rates for government employees and multiplied the hourly rate by 1.57 to obtain a fully burdened rate.

Position/Grade	Hourly Rate	Hourly Rate Inc. Benefits (x 1.57)	Time Spent on Information Collection	Weighted Average $/Hour*
Clerical GS-07/05	$24.41	$38.23	5%	$ 1.91
Professional/Technical GS-11/05	36.12	56.71	84%	47.64
Management GS-13/05	51.48	80.82	11%	8.89
			Weighted Average ($/hr):	**$58.44**

Requirement	Total Annual Responses	Average Time per Response	Total Federal Hours	Total Dollar Cost to Federal Government ($58.44 x hours)
SHA/CCAA				
Application (Form 3-200-54)	66	140	9,240	$539,985.60
Annual report	64	1	64	3,740.16
Notifications (Incidental Take) - individuals	1	1	1	58.44
Notifications (Change in Landowner) - individuals	1	1	1	58.44
RECOVERY/INTERSTATE COMMERCE				
Application (Form 3-200-55)	640	32	20,480	1,196,851.20
Annual report	2,248	1	2,248	131,373.12
Request to Revise List of Authorized Individuals *(In Use W/O OMB Approval)*	30	0.5	15	876.60
Annual Report - FWS Form 3-202-55b (Region 3 Bat Reporting Spreadsheet) *(In Use W/O OMB Approval)*	42	1	42	2,454.48
Annual Report - FWS Form 3-202-55c (Region 4 Bat Reporting Spreadsheet) *(In Use W/O OMB Approval)*	15	1	15	876.60
Annual Report - FWS Form 3-202-55d (Region 5 Bat Reporting Spreadsheet) *(In Use W/O OMB Approval)*	15	1	15	876.60
Annual Report - FWS Form 3-202-55e (Region 6 Bat Reporting Spreadsheet) *(In Use W/O OMB Approval)*	15	1	15	876.60
Annual Report - FWS Form 3-202-55f Non-Releasable Sea Turtle Annual Report *(In Use W/O OMB Approval)*	7	1	7	409.08
Quarterly Report - Form 3-202-55g Sea Turtle Rehabilitation *(In Use W/O OMB Approval)*	20	.25	5	292.20
Notification (Escape of Wildlife)	1	1	1	58.44
HABITAT CONSERVATION PLANS				
Application (Form 3-200-56)	75	8	600	35,064.00
Annual report	765	1	765	44,706.60
Plan *(In Use W/O OMB Approval)*	46	232	10,672	623,671.68
Total	**4,051**		**44,186**	**$2,582,229.84**

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

No hour or cost burden changes or adjustments are needed. While one respondent indicated a range of hours with a maximum greater than our estimate for recovery permit annual reporting, we have no additional hour estimates from other respondents available to determine whether a greater number of hours would more accurately represent hour burden for this information collection. We will continue to monitor the burden of future collections to determine if a change is appropriate.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Not applicable; we do not publish results of information 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.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement.