

SUPPORTING STATEMENT A FOR PAPERWORK REDUCTION ACT SUBMISSION

Urban Bird Treaty Program Requirements OMB Control Number 1018-New

Terms of Clearance: None

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

The Urban Bird Treaty Program (UBT Program) is administered through the Service's Migratory Bird Program, under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661–667e). The UBT Program aims to support partnerships of public and private organizations and individuals working to conserve migratory birds and their habitats in urban areas for the benefit of these species and the people that live in urban areas. The UBT partners' habitat conservation activities help to ensure that more natural areas, including forests, grasslands, wetlands, and meadows, are available in urban areas for birds, and so that historically excluded and underserved communities have improved access to green space and opportunities to engage in habitat restoration and community science as well as bird-related recreation and educational programs. These habitat restoration activities, especially urban forest conservation, also contribute to climate resiliency by reducing the amount of carbon dioxide in the atmosphere and reduce the urban heat island effect. Lights-out programs in UBT cities help reduce energy costs and greenhouse gas emissions by reducing the use of electricity when people and businesses turn off their lights between dusk and dawn during the fall and spring periods of bird migration in order to reduce bird collisions with building glass.

The UBT program benefits city partners in many ways, including:

- Helps city partners achieve their goals for making cities healthier places for birds and people.
- Provides opportunities to share and learn from other city partners' tools, tactics, successes, and challenges, to advance city partners' urban bird conservation efforts.
- Strengthens the cohesion and effectiveness of the partnerships by coming together and working under the banner of the UBT program.
- Gives city partners improved access to funding through the National Fish and Wildlife Foundation's Five Star and Urban Waters Restoration grant program, as UBT cities receive priority in this program. (NOTE: *All information collection requirements associated with Service-administered grant programs is approved under OMB Control No. 1018-0100*)
- Helps partners garner additional funds through other urban conservation grant programs that have shared goals and objectives.
- Helps partners achieve green building credits, reduced energy costs, green space requirements, environmental equity, and other sustainability goals.
- Promotes the livability and sustainability of cities by spreading the word about the city's UBT Federal designation and all the benefits of a green and bird-friendly city.

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.

The Service designates Urban Bird Treaty cities or municipalities through a process in which applicants submit a nomination package, including a letter of intention and an implementation plan, for approval by the Service's Migratory Bird Program. Within 3 months, the Service reviews the package, makes any necessary recommendations for changes, and then decides to either approve or reject the package. If rejected, the city can reapply the following year. In most cases, when the Service designates a new UBT city partnership, the Service and the new city partners hold a signing ceremony, during which a representative from both the Service and the city sign a nonbinding document that states the importance of conserving birds and their habitats to the health and well-being of people that live in and visit the city. To maintain the UBT city partnership designation, the partnership must submit information on the activities it has carried out to meet the goals of the UBT program, including those related to bird habitat conservation, bird hazard reduction, and bird-related community education and engagement. By helping make cities healthier places for birds and people, the UBT Program contributes to the Administration's priorities of justice and racial equity, climate resiliency, and the President's Executive Order 14008 to protect 30 percent of the Nation's land and 30 percent of its ocean areas by 2030.

We collect the following information from prospective and successful applicants in conjunction with the UBT Program:

- **Nomination Letter** – Prospective applicants must submit a letter of intention from the city's partnership that details its commitment to urban bird conservation and community engagement in bird-related education, recreation, conservation, science, and monitoring. Support and involvement by the city government is required.
- **Implementation Plan** – The required implementation plan should contain the following (see the UBT Program Guidebook — <https://www.fws.gov/migratorybirds/pdf/grants/UrbanBirdTreatyV3.pdf> — for full descriptions of requirements):
 - Detailed description of the importance of the city to migrating, nesting, and overwintering birds; bird habitats; human population size of the city; and socioeconomic profile of the human communities present and those historically excluded and underserved communities that will be the focus of education and engagement programs.
 - Map of the geographic area that is being nominated for designation.
 - List of individuals and organizations, and their contact information that are active in the partnership.
 - The mission, goals, and objectives of the partnership applying for designation, organized by the three UBT goal categories.
 - Description of accomplishments (e.g., activities, products, outcomes) that have been completed over the last 3 years, the audiences and communities reached/engaged through those activities, and the partner organizations that have achieved them, organized by UBT goal categories.
 - Description of strategies, actions, tools/products that are being planned for the next 5 years under the UBT designation, the objectives to be accomplished, the audiences and communities targeted for engagement, and the partners who will complete the work, organized by UBT goal categories.
- **Ad Hoc Reports (Non-form)** – The Service will also request information updates on UBT city points of contact, activities and events, and other information on an ongoing basis

for urban bird conservation in the city, as needed by the Service for storytelling, promotion, and internal programmatic communications, education, and outreach.

- **Biennial Reporting** – The Service requires city partners to provide biennial metrics as well as written and photographic descriptions of activities for each goal category. City partners are required to submit this information to maintain their city's designation by ensuring that they are actively working to achieve the goals of the UBT Program.

The Migratory Bird Program (MBP) will use the information collected to assess the activity of UBT cities, for storytelling purposes to promote the urban bird conservation work of city partners, and to enable the MBP to develop UBT Program accomplishment summaries and other communications tools to share internally and with the public and conservation community at large. The reporting requirement ensures that the UBT city designation is meaningful and that city partners are accountable for the efforts that they agreed to undertake to earn their designation. Additionally, the MBP will use the information to promote the UBT program to other interested city partners and the benefits of urban bird conservation generally.

For more information, please see the UBT Program Guidebook at the following link (we also provided a copy in ROCIS as a supplementary document):

<https://www.fws.gov/migratorybirds/pdf/grants/UrbanBirdTreatyV3.pdf>.

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.

For the reporting requirement, the Service has developed a reporting form that will facilitate partner submission of activity metrics and project descriptions. For information updates and the nomination package, the Service will accept documents as an email attachment only. Each year we estimate receiving 100% of the documents electronically.

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.

There is no duplication. The information collected is specific to the UBT Program. Due to the unique nature of the program, no other division of the Service or any other Federal agency collects this information from the public. Several of the metrics and some activity descriptions are collected by the National Fish and Wildlife Foundation (NFWF) Five Star grant program that the UBT Program participates in, but not all UBT cities participate in this grant program every year, only a limited number out of the 30 cities. The information collected by NFWF facilitates the Service's ability to collect the metric and activity information from UBT partners so it is advantageous to this reporting requirement. But it is not comprehensive enough to replace it.

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

The Service collects only the minimum information necessary for us to determine an applicant's eligibility for designation or to maintain designation as an Urban Bird Treaty city or municipality. This information collection does not significantly impact small businesses but does impact small

non-governmental organizations so the Service is providing flexibility in the types of metrics these entities need to provide and only a limited number and length of project descriptions every two years. The Service also provides flexibility in how the city partners develop their implementation plans so that it is not too burdensome. Several partners have commented that the reporting requirement is manageable because they already collect much of the information every year.

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.

There is a growing interest from partners in eligible cities to nominate their cities to become UBT cities and join the growing UBT city network. If we did not collect the designation information, the Service would be unable to approve new applications for designating Urban Bird Treaty cities or municipalities and thus unable to bring new UBT cities into the program. Moreover, if the reporting information and updates were not collected, there would be no way to ensure UBT city partners are working toward the goals of the UBT program and thus maintaining their commitment to the UBT program designation.

Partners are willing to provide this information to join the network and remain part of the network through redesignation every two years as they value the UBT designation. Without this process, the Service will be unable to support its partnerships with public and private organizations and individuals working to conserve habitat for migratory birds and their habitats in urban areas. Providing an online form, flexibility in reporting and implementation plan development, and requiring reporting every two years limits the burden on partners.

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 requiring collection of 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.

On June 11, 2021, we published in the *Federal Register* ([86 FR 31336](#)) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on August 10, 2021. The Service shared the notice with current and prospective UBT program partners to encourage participation in the public commenting process. We did not receive any comments in response to that notice.

In addition to the Federal Register Notice, we consulted with the nine (9) individuals identified in Table 8.1 who are familiar with this collection of information in order to validate our time burden estimate and asked for comments on the questions below:

Table 8.1

Organization	Title
Georgia Audubon	Director of Conservation
Lights Our Baltimore	Executive Director
Denver Parks and Wildlife	Wildlife Program Administrator
Houston Audubon	Conservation Director
Audubon Connecticut	Bird Friendly Communities Coordinator
New York City Audubon	Conservation Biologist
Audubon Pennsylvania	Urban Conservation Program Manager
Portland Audubon	Bird Safe Campaign Coordinator
University of New Orleans	Environmental and Political Philosophy Assistant Professor

We emailed these 9 UBT city partners a letter requesting feedback on the information collection requirements associated with the UBT Program. Despite multiple attempts to solicit feedback via email and phone calls, we only received responses from five individuals contacted. The lack of response by the remaining contacts is mainly due to their workload as summer is field season for many bird conservationists and/or many were away on annual leave.

“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: One respondent asked about how the information collected is going to be used and commented that if it's just going to be collected and put on a shelf, then don't ask for the information.

Agency Response/Action Taken: On the form there is information that clarifies to partners how the information, both the metrics and the activity descriptions for the reporting requirements, will be used. This important information will allow the Service to assess UBT city activity and evaluate whether the city is active enough to maintain their UBT designation, which infuses the program designation with accountability and meaning. In terms of updates, these will be limited and justified when they do occur. The activity descriptions will also be used to update the UBT Story Map (visit <https://arcg.is/1CeHPr0>) and thus to make the information request process more efficient. The Story Map is one of the most important products to promote the program and provide a platform for UBT city partners to showcase their important urban bird conservation work. This will be communicated to partners through multiple channels so that they are aware why they need to report this information and how it will be used.

“The accuracy of our estimate of the burden for this collection of information”

Comments: One respondent commented that the form asks for a lot of detailed info that she thinks most people don't have accessible or have collected. She thought it would take at least an hour to come up with all of the information that the form is asking. She thought the two-year time frame is workable. Related to the reporting burden, the responder indicated that because of lack of resources (staff and funding), they just haven't been able to spend as much time on the program as they would like. She is hoping that they can dedicate more time to UBT designation requirements as more staff are added to her group.

Another respondent indicated that the requirement is not a problem and that they keep track of annual accomplishments already and so that even an annual reporting requirement would not be too much.

Agency Response/Action Taken: In response to the comment that a lot of detailed information is being asked, the Service added additional language to indicate that UBT city partners do not need to provide all metrics listed only those that are relevant to their city's programs and activities. The Service also reduced the number of metrics to those most important and discrete and provided an “other” category to allow for other metrics not listed. The Service also reduced the word count for activity descriptions to 200-400 words and reduced the required number of descriptions per program goal to 2 rather than 3, allowing for 3 for those partners that have activities they would like to share and promote.

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

Comments: One commenter recommended narrowing down the number of questions and only select and require the most useful or important ones.

Another commenter had the following questions and recommendations to clarify metrics being reported:

- Are the acreage metrics only for the year in question or all work in the city since being designated? They try to track acres since our habitat work began but that is often a bit more difficult to get than just what is being done during a given year.
- How would one handle the questions if all restoration were along waterways? May want to add a note about that.
- Maybe some clarity on the difference between an acre being restored vs an acre under improved management.
- If our habitat sites are being restored, are near water, have a new long-term management plan, and are being monitored in some regard, would I need to enter the same data more or less 4 different times? The above description does align with many of our sites.
- One thing that might be tough is teasing out what happened in the city vs what happened elsewhere in the state, and also what is used as the definition of city boundaries vs metro area.

Agency Response/Action Taken: See above response to previous question. In addition, the MBP revised the reporting form to clarify the ambiguous metrics by better defining them, how they might overlap, the need to clarify overlapping metrics, and that there is choice among them and in agreed upon geography if that has not already been defined.

“Ways to minimize the burden of the collection of information on respondents”

Comments: The recommended word counts of 300-500 for event/activity descriptions at the end of the report form for each event/activity struck one respondent as too high for reporting. His suggestion was to change these word counts to 150–250 words each—the equivalent of a typical academic abstract for each event/activity.

This respondent said that having to report on over 20 different specialized metrics for activities being undertaken by all partner organizations would be a substantial burden that, for many partners, could very well outweigh any benefits they receive from participating in the UBT program. He suggested asking for a bullet-pointed list with 1-2 sentence descriptions of each activity instead and leave the collection and reporting of more detailed metrics for projects specifically funded by NFWF Five Star grant program that the UBT grant program participates in.

Another commenter recommended electronic forms as a good idea for reporting. She indicated that they use Survey123 for a lot of their data collection, which may or may not work for this purpose.

Agency Response/Action Taken: The Service added additional language to indicate that UBT city partners do not need to provide all metrics listed only those that are relevant to their city’s programs and activities. The Service also reduced the number of metrics to those most important and discrete, and provided an “other” category to allow for other metrics not listed.

The Service also reduced the word count to 200-400 for the activity descriptions, as the

maximum word count for one paragraph is about 200 words. This provides flexibility for those who would like to promote their work and provide more information.

All of these changes promote flexibility in reporting and allow cities to showcase their work in the best way possible to earn UBT redesignation for their city. Not all cities participate in the NFWF Five Star grant program so accessing comprehensive metrics just through that program is insufficient for redesignation of all UBT cities.

In addition, this grant program only funds a portion of the work in a given city that is required to meet the UBT city designation. For example, many cities conduct hazard reduction work that is not funded through the NFWF grant program and should be reported to sustain their UBT city designation.

Additional comments received during the outreach:

Comments: One respondent opened with the comment that he thought working through this form every couple of years seems like a good exercise for helping them evaluate and quantify the many efforts being made in his city to make things better for birds. He said it also seems like a good way to identify areas where we have opportunities to grow and expand our efforts. He thought that reporting on our UBT activities every other year could be positively beneficial as they continue participating in the program. Overall, he thought that form is asking partners to report the right kinds of information—how they've continued to engage with the UBT status, how they've advanced the program's key metrics, and what they've been doing to stay active in habitat conservation, hazard reduction, and community engagement.

One respondent indicated that they use their UBT designation for their Lights Out Denver program and that they designation is important to them as a city participating in the program.

Another respondent indicated that the UBT Program's Federal designation is very important to them and that they have used it successfully to promote lighting negotiations with the Baltimore Ravens so that they used bird-friendly stadium lighting, and that the city's UBT partnership uses the UBT logo on letterhead, press releases, fact sheets and other informational products to promote their participation in the program.

Another commenter said that in general he thought the document works well, that it does ask for a lot of info but at least for their partnership, they already track most of the information.

Agency Response/Action Taken: No action taken, but the program coordinator as made note of these overall positive responses and the willingness of partners to report on their activities as a good sign of the value of the UBT city designation.

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

We will not provide any payment or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

We do not provide any assurance of confidentiality. Information is collected and protected in accordance with the Privacy Act of 1974 (5 U.S.C. § 552a) and the Freedom of Information Act (5 U.S.C. 552). Information may be shared in accordance with the Privacy Act and the routine uses listed in DOI-89, Grants and Cooperative Agreements: FBMS (Published July 28, 2008, [73 FR 43775](#)).

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 that we will receive **105 responses** totaling **1,256 annual burden hours** for this information collection. The total dollar value of the annual burden hours is approximately **\$49,769** (rounded).

We used Table 1 from the of Bureau of Labor Statistics (BLS) News Release [USDL-21-1094](#), June 17, 2021, Employer Costs for Employee Compensation—March 2021, to calculate the cost of the total annual burden hours:

- Private Sector - the hourly rate for all workers is \$36.64, including benefits.
- Government - the hourly rate for all workers is \$53.68, including benefits.

Table 12.1

Requirement	Average Number of Annual Respondents	Average Number of Responses Each	Average Number of Annual Responses	Average Completion Time per Response	Estimated Annual Burden Hours*	Hourly Rate	\$ Value of Annual Burden Hours
Nomination Letter							
Private Sector	2	1	2	4	8	\$ 36.64	\$ 293.12

Government	1	1	1	4	4	53.68	214.72
Implementation Plan (Initial Submission)							
Private Sector	2	1	2	40	80	\$ 36.64	2,931.20
Government	1	1	1	20	20	53.68	1,073.60
Ad Hoc Reports							
Private Sector	19	4	76	3	228	\$ 36.64	8,353.92
Government	3	4	12	3	36	53.68	1,932.48
Biennial Reporting							
Private Sector - Reporting	9	1	9	20	180	\$ 36.64	6,595.20
Private Sector - Recordkeeping				60	540	36.64	19,785.60
Government - Reporting	2	1	2	20	40	53.68	2,147.20
Government - Recordkeeping				60	120	53.68	6,441.60
Totals:	39		105		1,256		\$ 49,768.64

*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.

There is no non-hour cost burden associated with this information collection.

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.

The total estimated cost to the Federal Government for processing and reviewing reports from States as a result of this collection of information is **\$83,568** (\$78,568 – salary and \$5,000 travel). There are currently no other Federal government costs associated with this information collection.

To determine average annual salary costs, we used the Office of Personnel Management Salary Table [2021-DCB](#) as an average nationwide rate. The annual salary rate for a part-time (50%) GS-12, step 5 is \$49,414 (rounded). In accordance with BLS News Release [USDL-21-1094](#), June 17, 2021, Employer Costs for Employee Compensation—March 2021, we multiplied the annual salary by 1.59 to account for benefits resulting in a fully burdened annual salary of \$78,568 (rounded). The program also expects annual travel costs to average \$5,000/year.

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

This is a request for a new OMB control number in conjunction with an existing collection of information in use without OMB approval.

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.

The information we will collect will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

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.