

**SUPPORTING STATEMENT A FOR
PAPERWORK REDUCTION ACT SUBMISSION**

**Federal Fish and Wildlife Permit Applications and
Reports—Management Authority
50 CFR 13, 15, 16, 17, 18, 22, 23**

OMB Control Number 1018-0093

Terms of Clearance: Information collection requirements associated with FWS Form 3-200-44, “Permit Application Form: Registration of an Agent/Tannery under the Marine Mammal Protection Act (MMPA),” and FWS Form 3–200–44a, “Registered Agent/Tannery Bi-Annual Inventory Report,” two forms used by the Services Office of Law Enforcement, are currently approved under this control number (1018-0093).

In September, 2019, the Service submitted a revision request to transfer responsibility for these two forms to the Service’s Office of Law Enforcement under OMB Control No. 1018-0092, “*Federal Fish and Wildlife Applications and Reports – Law Enforcement*”. In anticipation of receiving OMB approval of the revision to 1018-0092, we removed those two forms from this submission to avoid duplication of burden.

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

Information collection requirements contained in permit applications are specifically provided for in 50 CFR 13, 15, 16, 17, 18, 22, and 23.

All of the laws, treaties and regulations administered by the U.S. Fish and Wildlife Service which authorize activities for which a permit is required, authorize such permits in 50 CFR 13 (General Permit Requirements). The requirements in 50 CFR Part 13 are in addition to any other permit regulations that may apply to a specific circumstance and are outlined in other sections of regulation.

The Wild Bird Conservation Act (WBCA) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) uses a system of permits and certificates to help ensure international trade is legal and does not threaten the survival of wildlife or plant species in the wild. Permits under the Endangered Species Act of 1973, as amended (ESA, 16 U.S.C. 1531 *et seq.*) and the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*) ensure that activities are consistent with the intent and purposes of the ESA and MMPA. Permitted activities under the Bald and Golden Eagle Protection Act (Eagle Act; 16 U.S.C. 668-668d) must be compatible with the preservation of the eagle. We only issue permits under the Lacey Act (18 U.S.C. 42) when the Service finds the activity will not be harmful to either the health or welfare of humans. Prior to the import or export of MMPA, eagle, injurious wildlife (Lacey Act), WBCA, ESA, and/or CITES-listed species, the Division of Management Authority and Scientific Authority makes the appropriate determinations and issues the appropriate documents. Section 8A of the ESA designates the Secretary of the Interior as the U.S. Management and Scientific Authority for CITES. The Secretary delegated these authorities to the Service.

Before a country can issue an export permit for CITES Appendix I or II specimens, the CITES

Scientific Authority of the exporting country must determine that the export will not be detrimental to the species, and the Management Authority must be satisfied that the specimens were acquired legally. For the export of Appendix III specimens, the Management Authority must be satisfied that the specimens were acquired legally (CITES does not require findings from the Scientific Authority). Prior to the importation of Appendix I specimens, both the scientific and Management Authorities of the importing country must make required findings. The Scientific Authority must also monitor trade of all species to ensure that the level of trade is sustainable.

Article VIII(3) of the CITES treaty states that participating parties should make efforts to ensure that CITES specimens are traded with a minimum of delay. Section XII of Resolution Conf. 12.3 (Rev. CoP18) recommends use of simplified procedures for issuing CITES documents to expedite trade that will have no impact, or a negligible impact, on conservation of the species involved.

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 permits, such as the name of the applicant and the applicant's address, telephone numbers, tax identification number, email address, and website address, if applicable. Standardization of general information common to the application forms makes the filing of applications easier for the public, as well as expediting our review of applications.

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. Respondents submit application forms periodically as needed; submission of reports is generally on an annual basis, or as identified conditionally as part of an issued permit. We examined applications in this collection, focusing on questions frequently misinterpreted or not addressed by applicants. We have made clarifications to many of our applications to make it easier for the applicant to know what information we need and to accommodate future electronic permitting. Use of these forms:

- Reduces burden on applicants.
- Improves customer service.
- Allows us to process applications and finalize reviews quickly.

PROPOSED REVISIONS

With this submission, we are proposing the following revisions to the existing information collection:

Transfer of Forms to OMB Control No. 1018-0092

In September, 2019, the Service submitted a revision request to transfer responsibility for the below listed two forms to the Service's Office of Law Enforcement under OMB Control No. 1018-0092, "*Federal Fish and Wildlife Applications and Reports – Law Enforcement*". In anticipation of receiving OMB approval of the revision to 1018-0092, we removed those two forms from this submission to avoid duplication of burden.

- *FWS Form 3-200-44*, "Permit Application Form: Registration of an Agent/Tannery"

- under the Marine Mammal Protection Act (MMPA),” and
- *FWS Form 3–200–44a*, “Registered Agent/Tannery Bi-Annual Inventory Report.”

The Service’s Office of Law Enforcement in the Alaska Region uses the information collected on FWS Form 3–200–44 to register qualified agents and tanneries for polar bear (*Ursus maritimus*), walrus (*Odobenus rosmarus*), and northern sea otter (*Enhydra lutris kenyoni*) under the MMPA. This registration facilitates the transfer of marine mammal specimens taken by Alaska Natives for the purposes of subsistence or creation of authentic Native handicraft articles and clothing.

Biannually (twice a year) on or before the 10th day of January and July, we require that the permittee submit to us FWS Form 3–200–44a, containing detailed activities of each registered agent or registered tannery for each transaction related to Polar bear, walrus, and northern sea otter. If no transactions occurred, the permittee must submit a negative report.

As such, it is more appropriate that these forms be transferred to, and approved by OMB under 1018–0092.

International Reporting Requirements (NEW IC)

With this submission, we request OMB approval of the information collection requirements associated with the international reporting requirements specified in 50 CFR 13.21(5), 50 CFR 17.22(b)(v), 50 CFR 17.31(b)(v), 50 CFR 18.30(c)(2), 50 CFR 23.6, and 50 CFR 23.33(b). These reporting requirements are associated with the findings we must make under the various laws, treaties, and regulations administered by the Service. This may include consultation on sustainable use, population data, management practices, and verification of information received from other sources. The Service does not provide a form for this collection; rather, we request specific information based on the most current data we hold, in order to enable us to update or clarify that data. We estimate the annual burden associated with the international reporting requirements to be 24 responses and 192 burden hours. There is no nonhour burden cost associated with the international reporting requirements.

Amendments (NEW IC)

With this submission, we request OMB approval of the amendment submissions associated with certain applications (identified in Attachment A uploaded to ROCIS as a supplemental document).

ePermits Initiative (NEW ICs)

The Service requests OMB approval to automate certain forms approved under 1018-0093. The new “ePermits” initiative is an automated permit application system that will allow the agency to move towards a streamlined permitting process to reduce public burden. Public burden reduction is a priority for the Service; the Assistant Secretary for Fish, Wildlife, and Parks; and senior leadership at the Department of the Interior. The intent of the ePermits initiative is to automate the permitting process to improve the customer experience and to reduce time burden on respondents. This new system will enhance the user experience by allowing users to enter data from any device that has Internet access, including PCs, tablets, and smartphones. It will also link the permit applicant to the Pay.gov system for payment of the associated permit application fee. Users of the ePermits System will register for an account which will then automatically populate the forms they complete with the required identification information, thus preventing the need for them to enter it multiple times when they apply for separate permits and reducing burden on the applicant. The account registration process will also provide private sector users an opportunity to self-

identify as a small business which will enable the Service to more accurately report burden associated with information collection requirements placed on them.

Our preliminary burden estimates for the ePermits versions of forms are contained in Attachment A provided as a supplemental document to OMB via ROCIS. We anticipate including the following Service forms in the ePermits initiative: 3–200–19 through 3–200–37, 3–200–39 through 3–200–43, 3–200–46 through 3–200–53, 3–200–58, 3–200–61, 3–200–64 through 3–200–66, 3–200–69, 3–200–70, 3–200–73 through 3–200–76, 3–200–80, and 3–200–85 through 3–200–88.

Updates to Existing Forms Approved under 1018-0093

FWS Form 3-200-20, “Permit Application Form: Import of Sport-hunted Trophies (Appendix I of CITES and/or ESA)” was modified by adding an annex, the “Operator Enhancement Questionnaire.” The applicant may provide this questionnaire to the concessionaire, operator, or professional hunter with whom the applicant hunted or will hunt. The information we gather from this questionnaire will greatly assist us in verifying and communicating with foreign countries in order to make the necessary findings under CITES and the ESA. This will reduce the amount of time the Service spends gathering and evaluating information, thus reducing processing time, in order to issue these permits under CITES and/or the ESA.

FWS Form 3-200-29, “Permit Application Form: Export, Re-export, Master File of Wildlife Samples and/or Biomedical Samples under the Convention on International Trade in Endangered Species (CITES)” was modified to reduce the amount of information collected for those applicants wishing to obtain a Master File. Additionally, the application was modified to clarify the information needed for total number of specimens, which eliminates multiple requests for clarifying submitted information that must be included on a permit. Consequently, this reduces the processing time of the application.

FWS Form 3-200-33, “CITES Export of Artificially Propagated Live Plants (Single and Multiple Commercial Shipments)” is primarily use by commercial growers to export cultivated plants, as well as smaller growers who export plant parts. To better meet customer needs, we have clarified the information requested and simplified the language in the application form. The application was also modified to simplify the application process for applicants who currently hold Master Files and are requesting amendments or renewal of their Master File. To capture the range of specimens covered under this application, the title was changed to “CITES Export of Artificially Propagated Live Plants and Plant Parts.” We have also amended the language to clarify the information requested that is used to make the necessary findings to issue a permit under CITES. This reduces not only the time to complete the application but the information needed for additional Master Files, which can reduce the time it takes for processing this type of application.

FWS Form 3-200-42, “Permit Application Form: Import, Acquisition, Transport of Injurious Wildlife” was modified to address the U.S. Court of Appeals for the District of Columbia’s interpretation of the Lacey Act which eliminates existing and future injurious wildlife listings from the statutory prohibition on interstate transport of injurious wildlife between States within the continental U.S. under the Lacey Act.

FWS Form 3-200-43, “Take, Import, Export of Marine Mammals for Public Display, Scientific Research, Enhancement, or Rescue, Rehabilitation, Release Activities or Renewal/Amendment of Existing Permit (MMPA and/or ESA)” was modified by

reorganizing the order of the questions and clarifying the information needed to make the findings required under the MMPA and/or ESA. This modification will allow the applicant to take less time preparing the information required as part of the application process.

FWS Form 3-200-37, “Permit Application Form: Export, Import, Interstate and Foreign Commerce take of Animals (Live, Samples, Parts, Products) under the Convention on International Trade in Endangered Species (CITES) and/or the U.S. Endangered Species Act (ESA)” was modified to address the difficulty in applicants’ ability to effectively provide the information needed to process applications in a timely manner. By separating the application form into parts specific to the activity, the applicant will be able to identify the specific activity for which he/she wishes to conduct and can provide the specific information required for submission and reduce the time the applicant will need to complete an application. Please refer to table below outlining the seven (7) new forms (3-200-37a through 3-200-37g) and the purpose for each form.

Description of Change	Purpose of Change
3-200-37a Import/Export/Re-export of live animals (CITES/ESA)	This application delineates the specific information required to make findings under CITES/ESA without burdening the applicant with questions not pertinent to their activity.
3-200-37b Export of live animals under a valid CBW (ESA)	This application delineates the specific information required to make findings under the ESA without burdening the applicant with questions not pertinent to their activity.
3-200-37c Take (cull/lethal harvest) of a live animal under a valid CBW	This application delineates the specific information required to make findings under the ESA without burdening the applicant with questions not pertinent to their activity.
3-200-37d Interstate or foreign commerce of live animals/samples/or products (ESA)	This application delineates the specific information required to make findings under CITES/ESA without burdening the applicant with questions not pertinent to their activity.
3-200-37e Import/Export/Re-Export of biological specimens (CITES/ESA) for scientific research	This application delineates the specific information required to make findings under CITES/ESA without burdening the applicant with questions not pertinent to their activity.
3-200-37f Import of Live African Elephants and Southern White Rhinos from South Africa and eSwatini (CITES)	CITES resolution Conf 11.20 (Rev. CoP18) outlined the parameters for which a country is to certify that a recipient qualifies as an “appropriate and acceptable destination.” This application was developed specifically to address the information outlined and required for such certification.
3.200-37g ESA Cull/Take report form	The Service recognized that we needed to provide permittees who hold cull/take permits better guidance on reporting requirements under these permits so that we could better process renewal applications and ensure that we are meeting the issuance criteria under the ESA. This report form was developed to simplify the reporting and renewal process for these permittees.

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.

Current Process

Forms in this collection are available in a fillable format on our forms and permits websites, by mail, or by e-mail. Applicants may complete the application online, but currently must send the application form with an original signature and the processing fee to the Service by mail. Applicants may send us any supporting documentation or information missing from the application, other than original signature, via electronic mail.

Process Under Proposed ePermits System – We are actively developing a new automated permit application system, referred to as “ePermits.” The ePermits System will allow the agency to move towards a streamlined permitting process to more significantly reduce the information collection burden on the public, particularly small businesses. Public burden reduction is a priority for the Service; the Assistant Secretary for Fish, Wildlife, and Parks; and senior leadership at the Department of the Interior. The intent of the ePermits System is to fully automate the permitting process to improve the customer experience and to reduce time burden on respondents. This new system will enhance the user experience by allowing users to enter data from any device that has Internet access, including personal computers, tablets, and smartphones. It will also link the permit applicant to the Pay.gov system for payment of the associated permit application fee. Users of the ePermits System will register for an account which will then automatically populate the forms they complete with the required identification information, thus preventing the need for them to enter it multiple times when they apply for separate permits and reducing burden on the applicant. The account registration process will also provide private sector users an opportunity to self-identify as a small business which will enable the Service to more accurately report burden associated with information collection requirements placed on them.

Once the new ePermits System is in place, we anticipate a reduction in the amount of time necessary for an applicant to apply for a permit, and perform regular actions related to that permit (e.g., amend, renew, report). Through the ePermits account registration, we will track and be able to more accurately report the numbers of small business applicants, along with the type of business (for-profit, farm, not-for profit). This information will allow the Service to be more responsive in identifying the possibility of additional burden reduction on small businesses.

We also plan to eliminate the necessity for physical mail-in applications (though this will remain an option for those who either don't have access to the internet or prefer to use mail-in applications), thus further reducing the burden on the public as well. With ePermits, an applicant will be able to establish an account, apply for multiple permits through a single interface, and track all their applications, permits and permit-related actions as well as all communications between Service staff and the permittee/applicant within the same interface, significantly reducing the burden on the government to process these applications and manage permit-related actions.

The Service anticipates the discontinuance of the paper-based versions of a large number of forms after the ePermits System has been in full operation for at least 18-24 months. The elimination of most paper based forms is expected to reduce the government cost of administering and processing permit applications. However, .pdf copies of additional permit documentation that require signatures (for example, affidavits) will be uploaded to the system

regardless of whether the application is submitted electronically or by paper.

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 that we collect is unique to the applicant and is not available from any other source. By tailoring application forms to particular activities, we eliminate duplication, provide better customer service, and improve our ability to process applications.

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

The use of these application forms minimizes the burden on the public. Generally, a permit applicant is responsible for providing us with sufficient information to make the required findings prior to issuing a permit. We can issue required findings either on an application- by-application basis or a programmatic basis.

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, we would be unable to issue required permits for import, export, take, and interstate/foreign commerce. While we could issue documents without using the proposed application forms, the burden would be greater on applicants because we would have to collect the information on a permit-by-permit basis.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * requiring respondents to report information to the agency more often than quarterly;
- * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- * in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- * requiring respondents to submit proprietary trade secrets, or other confidential information, unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

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

8. If applicable, provide 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 October 22, 2019, we published in the *Federal Register* (84 FR 56466) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on December 23, 2019. We received the following comments in response to that Notice:

Comment 1: The Marine Mammal Commission (MMC) offers their support in the collection of information from researchers, photographers, public display facilities, and members of the public seeking authorization to take or import marine mammals or listed species in order to ensure the protection and conservation of marine mammal populations.

Agency Response to Comment 1: The Service appreciates the support from the MMC in our efforts to protect and conserve marine mammals or listed species.

In addition to the Federal Register Notice, we consulted with the nine (9) individuals identified in Table 8.1 who 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
Zoological Registrars Association	Registrar
Avicultural Society of America	President
The American Ornithological Society	Executive Director
The American Public Gardens Association	President
Amphibian Ark	Executive Director
Shaw Institute	President/Executive Director
North American Falconers Association	President
United States Association of Reptile Keepers (USARK)	President
American Association of Zoo Keepers	Chair

“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: The commenter felt that the information was reasonable and probably necessary for achieving wildlife protection mandates. They felt that the information collected, if stored in a form that could be easily analyzed, the information could have practical uses.

Agency Response/Action Taken: The Service appreciates the support shown for the application process. The information that the Service collects is used to prepare the Annual Report to the CITES Secretariat for purposes of monitoring trade for sustainable use of wildlife and plants.

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

Comments: The commenter was not sure where the burden statements were located in the application so could not comment on this. They did state that the applications they used were fairly simple to complete; however, they found it difficult to discern which application to submit from the Service’s website.

Agency Response/Action Taken: The Service is striving to ensure that this information is more clearly indicated on the application form. Additionally, the Service recognizes the need to reorganize the information currently provided on the website to better meet customer needs.

Comments: The Ornithological Council requested that we revise 3-200-39 to ask about the partial accreditation of museums who apply for the Scientific Exchange certificate (COSE). There are a number of departments that have separate accreditation requirements and not all departments within a museum has accreditation or a pathway for accreditation. They do not believe that this question, Question 5 *Is the requesting institution or scientific collection recognized by an organization, such as Morton Register of Arboreta or American Association of Museums?* would yield any useful or valuable information. From a practical standpoint, the form does not provide sufficient space to adequately answer the questions asked. For Question 7 *Are all accessions properly recorded in a permanent catalogue? [If yes, provide the URL?]* they point out that one museum may have multiple URLs and without instructions, it is hard for an applicant to answer this question. Question 8 asks for the number of accessioned specimens which they point out does not have adequate space. They would like the application to clearly delineate that collections that have species protected under other laws, such as the ESA, MMPA, etc. would require additional permits in addition to the COSE permit and the Service should make that requirement very clear on the application form. Further clarification of the term “centrally housed” needs to be defined. Lastly, the broken link on the application needs to be addressed.

Agency Response/Action Taken: The Service recognized that certain questions in this application form need to be modified. We appreciate the comments received on the application, and have amended it to address the issues raised. Specifically, we have increased the space for responses, fixed the broken web links and clarified the instructions for applicants. We plan to reach out to other stakeholders to assist us with revising various technical parts of the application in the future.

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

Comments: We received no comments.

And

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

Comments: We received no comments.

Additional comments received during the outreach:

Comments: Two commenters stated that they did not use our applications so had no comments to provide.

Agency Response/Action Taken: The Service will identify a better set of stakeholders to contact for the next renewal process.

Despite multiple attempts to solicit feedback via email and phone calls, 7 of the 9 individuals contacted did not respond to our requests.

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

We do not provide gifts or payment to respondents.

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

The information that we collect from applicants is part of an existing Privacy Act System of Records (FWS-21, Permits System, September 4, 2003, 68 FR 52610; modification published June 4, 2008, [73 FR 31877](#)) and is subject to the requirements of both the Privacy Act of 1974 and the Freedom of Information Act (FOIA).

For organizations, businesses, or individuals operating as a business (i.e., permittees not covered by the Privacy Act), we request that applicants identify any information that they wish us to consider privileged and confidential business information. We will determine if the information meets the FOIA criteria that will allow us to withhold it from the public. The non-confidential information may be made available to the public under FOIA [43 CFR 2.13(c)(4), 43 CFR 2.15(d)(1)(i)].

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 **8,912 responses** totaling **7,961 burden hours** (see Attachment A). . We estimate the annual dollar value of the burden hours is **\$314,506** (rounded) (see Attachment A). The completion times vary substantially (from 15 minutes to 43½ hours) depending on the activity. See Attachment A for a breakdown of burden hours for each information collection.

We used Table 1 from the of Bureau of Labor Statistics (BLS) News Release [USD-19-2195](#), December 18, 2019, Employer Costs for Employee Compensation—September 2019, to calculate the cost of the total annual burden hours:

- Individuals – the hourly rate for all workers is \$37.03, including benefits.
- Private Sector – the hourly rate for all workers is \$34.77, including benefits.
- Government – the hourly rate for all workers is \$51.66, including benefits.

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.

We estimate the non-hour cost burden to respondents for this information collection to be **\$629,400** (see Attachment A). These costs are for application processing fees, which range from \$0 to \$250. There is no fee for reports. Federal, tribal, State, and local government agencies and those acting on their behalf are exempt from processing fees. Where there is more than one applicable fee, we have used an average of the fees.

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 the total cost to the Federal Government to administer this information collection will be **\$2,023,075** (rounded) (see Attachment A). The table below shows Federal staff and grade levels performing various tasks associated with this information collection. Service staff will:

- a. Review and determine the adequacy of the information an applicant provides.
- b. Conduct any internal research necessary to verify information in the application or evaluate the biological impact of the proposed activity.
- c. Evaluate whether the proposed activity meets the issuance criteria.
- d. Prepare either a permit or a denial letter for the applicant.
- e. Monitor reports.

We used Office of Personnel Management Salary Table [2020-DCB](#) to determine average hourly wages. We multiplied the hourly rate by 1.59 to account for benefits in accordance with BLS News Release [USDL-19-1002](#), June 18, 2019, Employer Costs for Employee Compensation—March 2019.

Position/Grade	Hourly Rate	Fully Burdened Hourly Rate	Time Spent on Collection	Weighted Average (\$/Hour)
Office Automation Assistant, GS-326-05/05	\$ 21.34	\$ 33.93	5%	\$ 1.70
Legal Instrument Examiner, GS-963-07/05	26.34	41.88	45%	18.85
Biologist, GS-401/486-11/05	39.12	62.20	40%	24.88
Program Manager GS-340-14/05	65.88	104.75	10%	10.48
Total				\$ 55.91

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

We are reporting the following burden increase of 1,010 annual responses, 2,341 annual burden hours, and \$107,397 non-hour burden cost associated with the proposed changes to the collection and new ICs identified in question 2.

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.

There are no plans to publish the results of these information collections.

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.