

**1SUPPORTING STATEMENT A
FOR PAPERWORK REDUCTION ACT SUBMISSION**

**Endangered and Threatened Wildlife,
Experimental Populations 50 CFR 17.84**

OMB Control Number 1018-0095

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.

Individuals of designated experimental populations for species listed as threatened or endangered under the Endangered Species Act (ESA, 16 U.S.C. 1531 *et seq.*) are categorically protected. Documentation of human-related mortalities, recovery of dead specimens, animal husbandry actions necessary to manage the population, and other types of take related to the status of experimental populations is important for monitoring the success of reintroduction efforts and recovery efforts in general. To minimize potential conflict with humans that could undermine recovery efforts, livestock depredations connected with experimental populations of listed species require prompt attention for purposes of determining the location, timing, and nature of the predatory behavior involved, accurate determination of the species responsible for a livestock kill, and the timely application of necessary control measures. We collect information in nonform format. The information collection requirements are in 50 CFR 17.84.

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.

Experimental populations established under section 10(j) of the ESA, as amended, require information collection and reporting to the U.S. Fish and Wildlife Service (Service, we). We collect information on the experimental populations listed in 50 CFR 17.84 to help further the recovery of the species and to assess the success of the reintroduced populations. The respondents notify us when an incident occurs, so there is no set frequency for collecting the information. We use the information to:

- Document the locations of reintroduced animals.
- Determine causes of mortality and conflict with human activities so that Service managers can minimize conflicts with people.
- Improve management techniques for reintroduction.

The information helps us assess the effectiveness of control activities and develop means to reduce problems with livestock for those species where depredation is a problem. Service recovery specialists use the information to determine the success of reintroductions in relation to established recovery plan goals for the threatened and endangered species involved.

Other Federal agencies provide us with the vast majority of the information on experimental populations under cooperative agreements for the conduct of the recovery programs. However, the public also provides some information to us. Reporting parties include, but are not limited to, individuals or households, businesses, farms, nonprofit organizations, and State/local/tribal

governments. We collect the information by means of telephone calls or facsimiles from the public to Service offices specified in the individual regulations. Standard information collected includes:

- Name, address, and phone number of reporting party.
- Species involved.
- Type of incident.
- Take (quantity).
- Location and time of reported incident.
- Description of the circumstances related to the incident.

Some of these contacts are necessary follow-up reports under rules where we have authorized harassment or lethal take of experimental animals (e.g., livestock depredation or in defense of human life). We collect information in three categories:

- General take or removal. This type of information relates to human-related mortality including unintentional taking incidental to otherwise lawful activities (e.g. highway mortalities), animal husbandry actions authorized to manage the populations (e.g., translocation or providing aid to sick, injured, or orphaned individuals), take in defense of human life, take related to defense of property (if authorized), or take in the form of authorized harassment.
- Depredation-related take. This type of reporting involves take for management purposes where livestock depredation is documented, and may include authorized harassment or authorized lethal take of experimental animals in the act of attacking livestock.
- Recovery or reporting of dead individuals and specimen collection from experimental populations. This type of information is for the purpose of documenting incidental or authorized scientific collection. Most of the contacts with the public deal primarily with the reporting of sightings of experimental population animals, or the inadvertent discovery of an injured or dead individual.

There are no forms associated with this information collection.

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.

Each reported incident is unique and those individuals responding generally are able to communicate details verbally via telephone, facsimile, or in writing. Due to limitations in funding and staff time, we do not have any plans to create a system for electronic submission of reported incidents, or to make the information available to the public over the internet, which might actually take longer to use than a simple telephone call for most responders.

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.

Requested information is not available from any other source. We work with the U.S. Department of Agriculture/APHIS Division of Wildlife Damage Management, and other Federal agencies as necessary, when investigating or confirming information received regarding any of the experimental populations. There is some potential for duplication if someone contacts both the Service and another agency regarding an experimental animal, but generally there is sufficient information available to the public through interagency outreach efforts to make reporting well known. We work closely with cooperating agencies to minimize any duplication in reporting.

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. There are no required forms or formats for the information we collect. We collect only the minimum information necessary to describe the reported incident.

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.

The current frequency and extent of information collection are necessary to collect sick, injured, or dead individuals where appropriate in order to aid sick or injured individuals or determine the cause of death and assess health of the individual and the status of the experimental populations that have been introduced to suitable habitat as part of the species' recovery goals. The consequence of not collecting the information or reduced information collection would result in our inability to address the individuals' needs and/or measure the implementation of these particular recovery goals. There is no information already available that can be used in lieu of that supplied by the respondent.

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.

We rely on prompt public reporting on the location of sick, injured, or orphaned individuals in order to implement the necessary animal husbandry and specimen collection activities. In cooperation with the USDA/APHIS Division of Wildlife Damage Management, or other cooperating Federal agencies, we rely on prompt public reporting of depredation in order to resolve livestock-related problems. Therefore, a time sensitive requirement for reporting problems (generally within 24 hours) to the appropriate Service office is necessary.

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 4, 2022, we published in the *Federal Register* ([87 FR 60197](#)) 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 5, 2022. In an effort to increase public awareness of, and participation in, our public commenting processes associated with information collection requests, the Service also published the *Federal Register* notice on Regulations.gov (Docket [FWS-HQ-ES-2022-0140](#)) to provide the public with an additional method to submit comments (in addition to the typical Info_Coll@fws.gov email and U.S. mail submission methods). We received the following comments in response to that notice:

Comment 1: Electronic comment received via Regulations.gov (FWS-HQ-ES-2022-0140-0002) from Jean Publiee on October 7, 2022. The comment did not address the information collection requirements.

Agency Response to Comment 1: No response required.

Comment 2: Anonymous electronic comment received via Regulations.gov (FWS-HQ-ES-2022-0140-0003) on October 19, 2022. The comment did not address the information collection requirements.

Agency Response to Comment 2: No response required.

Comment 3: Anonymous electronic comment received via Regulations.gov (FWS-HQ-ES-2022-0140-0004) on December 5, 2022. The comment did not address the

information collection requirements.

Agency Response to Comment 3: No response required.

Comment 4: Electronic comment received via Regulations.gov (FWS-HQ-ES-2022-0140-0005) from Francisco Santiago-Avila on December 2, 2022.

Mr. Santiago-Avila supports this information collection and provides suggestions on ways to enhance the quality, utility, and clarity of the information to be collected. Specifically, he suggests collaboration with volunteers to perform monitoring, recommend publication of specific mortality data, and recommend analyzing the effectiveness of management interventions.

Agency Response to Comment 4: Many of the commenter's suggestions recommended actions are already underway. This information collection includes all experimental population monitoring and reporting requirements described by regulation under 50 CFR 17.84, where species-specific requirements are described in further detail. It is the responsibility of the lead office for an experimental population to engage with the public for any assistance needed for the monitoring of these populations, if appropriate. The lead field office tracks, manages, and analyzes mortality data, as appropriate for the species, as part of the requirement to periodically evaluate the success or failure of the reintroduction. The requirements for the periodic evaluation of effectiveness are also specified in each species-specific experimental population final rule.

Publishing location-specific mortality information, as suggested, is not feasible because it could result in an increased risk of illegal/unauthorized take. Monitoring the effectiveness of management interventions is also challenging due to the variability in year-to-year variation in where experimental populations overlap with livestock, and the fact that landowners are not required to report on their use of indirect preventative techniques to the Service as they are often voluntary measures.

Comment 5: Electronic comment received via Regulations.gov (FWS-HQ-ES-2022-0140-0006) from Michael Robinson on December 5, 2022.

Mr. Robinson suggested additional categories of information that could be collected under this information collection, including: 1) preventative techniques implemented to protect livestock from predation by animals in an experimental population, 2) time elapsed between initial and subsequent predations on livestock by a particular animal of an experimental population, 3) information regarding illegal take of animals of experimental populations, and 4) identities of individuals having or intending to illegally take animals of experimental populations.

Agency Response to Comment 5: The commenter's suggestions for information collection include data that are already collected and tracked by Service employees as specified in 50 CFR Part 17 Subpart H (existing data collections approved under this Control Number), as well as in each species-specific final rule issued by the Service establishing the experimental population. If we issue a permit for take of a listed animal of an experimental population relative to depredation prevention, the reporting requirements would be specified under the permit's terms and conditions and be covered under OMB Control Number 1018-0094. The Service acknowledges the importance of this type of information and affirms that this information is being collected in this collection or within 1018-0094.

Additionally, suggestions 3) and 4) include identifying information regarding investigations performed by the Service's Office of Law Enforcement. This information cannot be shared during ongoing investigations, though once resolved, the outcomes of cases may be shared on <https://www.fws.gov/program/office-of-law-enforcement/news>.

Comment 6: Electronic comment received via Regulations.gov (FWS-HQ-ES-2022-0140-0007) from Joe Bushyhead on December 5, 2022.

Mr. Bushyhead supports the renewal and suggests that the information collection include mandatory reporting and that information collection should be conducted at regular intervals with subsequent public disclosure, as appropriate.

Agency Response to Comment 6: The Service cannot require the public or its partners to report on information broadly. However, if we issue a permit for take of a listed animal of an experimental population, the reporting requirements would be specified under the permit's terms and conditions and be covered under OMB Control Number 1018-0094. Specific reporting requirements for permits, including whether the reporting is mandatory, would be contained in that permit's terms and conditions. Failure to adhere to the terms of the permit could result in permit revocation or non-renewal. The timing interval for reporting take is specified in each species' specific regulations under 50 CFR 17.84.

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

Organization	Title
Alaska Department of Fish and Game	Project Biologist
Conservation Fisheries, Inc	Director
Peregrine Fund	California Condor Field Manager
Arizona Game and Fish Department	Mexican Wolf Coordinator
Alabama Department of Conservation and Natural Resources	Mussel Management Supervisor
South Dakota Game, Fish, and Parks	Wildlife Biologist
North Dakota Game and Fish Department	Conservation Biologist
New Mexico Game and Fish Department	Chief, Wildlife Management Division
Oregon Department of Fish and Wildlife	Program Manager

“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: Commenters agreed the collection is necessary and didn't specify anything as unnecessary.

Agency Response/Action Taken: None.

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

Comments: Commenters indicated the burden estimates seemed reasonable.

Agency Response/Action Taken: None.

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

Comments: No comments received.

Agency Response/Action Taken: None.

And

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

Comments: No comments received.

Agency Response/Action Taken: None.

Despite multiple attempts to follow-up via email, we were unable to solicit feedback from 4 of the individuals contacted.

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 assurances of confidentiality. This collection does not constitute a system of records under the Privacy Act of 1974 because the records are not retrieved by a unique identifier assigned to an individual. However, the following System of Records Notices are applicable:

- [Interior/FWS-26](#), Migratory Bird Population and Harvest Systems (May 28, 1999) 64 FR 29055, and
- [Interior/FWS-27](#), Correspondence Control System (June 4, 2008) 73 FR 31877.

FWS handles all Personally Identifiable Information (PII) in accordance with the Federal Fair Information Practice Principles (FIPPs) on which the Privacy Act is based, and as described in the Privacy Impact Assessment for FWS' Environmental Conservation Online System (ECOS). A copy of the PIA is provided to OMB as a supplementary document via ROCIS.

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 anticipate receiving approximately **105 responses annually**, totaling **55 annual burden hours (rounded)**. We estimate the total dollar value of the annual burden hours for this collection to be **\$2,713 (rounded)**.

We used Table 1 in the Bureau of Labor Statistics (BLS) News Release [USDL-22-2307](#), December 15, 2022, Employer Costs for Employee Compensation—September 2022, to calculate the total annual burden.

- Individuals – the hourly rate for all workers \$41.86, including benefits.
- Private Sector – the hourly rate for all workers as \$39.61, including benefits.
- Government – the hourly rate for all workers as \$57.02, 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
Notification - General Take or Removal						
Individuals	12	12	.5	6	\$ 41.86	\$ 251.16
Private Sector	7	7	.5	4	39.61	158.44
Government	29	29	.5	15	57.02	855.30
Notification - Depredation-Related Take						
Individuals	25	25	.5	13	\$ 41.86	\$ 544.18
Private Sector	2	2	.5	1	39.61	39.61
Government	9	9	.5	5	57.02	285.10
Notification - Specimen Collection						
Individuals	3	3	.5	2	\$ 41.86	\$ 83.72
Private Sector	2	2	.5	1	39.61	39.61
Government	16	16	.5	8	57.02	456.16
Total	105	105		55		\$ 2,713.28

*Rounded

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 only foreseeable nonhour burden cost to respondents would be a small cost for making a telephone call or sending a facsimile. However, we do not expect that this would occur often and any costs would be negligible.

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 receiving and processing the notifications as a result of this collection of information is **\$7,161**. We multiplied the hourly weighted salary rate (\$68.20) x total hours for Federal Government review (105) which results in an estimated cost to the Federal Government of \$7,161.

These costs are primarily for staff time to receive the notifications via phone calls or facsimiles, and to process the information contained in the notification. For each telephone call, we will write up a record of the telephone conversation. We will then process the information received in the facsimile or telephone call, and analyze the information to determine whether or not it has any significant impact on the affected experimental population.

Depending upon their geographic location, some employees are paid under a Federal salary table that includes locality pay. We used the Office of Personnel Management’s Salary Table [2023-DCB](#) as an average wage rate for employees Nationwide. To calculate benefits, we multiplied the hourly rate by 1.59 in accordance with the BLS News Release [USDL-22-2307](#), December 15, 2022, Employer Costs for Employee Compensation—September 2022. The time required for Federal Government employees to process and analyze the information contained in the notification will vary, but we estimate it will take an average of 1 hour per response.

Position/Grade	Hourly Rate	Hourly Rate, Incl. Benefits (x 1.59)	Time Spent on Collection	Weighted Average
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Clerical - GS-07/05	\$ 28.84	\$ 45.86	5%	\$ 2.29
Professional/technical - GS-11/05	42.68	67.86	90%	61.07
Management – GS-13/05	60.83	96.72	5%	4.84
Weighted Average (\$/hr)				\$ 68.20

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

We are not reporting any program changes or adjustments in hour or cost burden.

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 is only for internal tracking and use. No publication of information is anticipated.

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.

This is a regulatory requirement. We will display the OMB Control Number and expiration date on appropriate documents.

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.