

# Supporting Statement for Paperwork Reduction Act Submissions

## OMB Control Number 1018-0094

**Form 3-200-54: Native Endangered and Threatened Wildlife - Application Requirements for Enhancement of Survival Permits Associated With Safe Harbor Agreements - 50 CFR 17.22(c) and 17.32(c) and with Candidate Conservation Agreements with Assurances - 17.22(d) and 17.32(d).**

### General Instructions

**A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When Item 17 of the OMB Form 83-I is checked "Yes", Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.**

### Specific Instructions

#### A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The following information is provided as part of a request to renew the Office of Management and Budget's approval for information collection pursuant to regulations that implement General Permit Procedures. These information collection requirements are contained in applications for permits that are specifically provided for in 50 CFR 13 and 17. The application form for this activity was assigned number **3-200-54**.

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 Part 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 regulations in 50 CFR part 17 implement the prohibitions and exceptions provisions of the Endangered Species Act of 1973, 87 Stat. 884, 16 U.S.C. 1531-1543 (Act), except for those concerning the Convention on International Trade in Endangered Species of Wild Fauna and Flora, for which regulations are provided in part 23 of this subchapter. The Act provides for the

protection of listed species through establishment of programs for their recovery and through prohibition of harmful activities. The Act also provides for the monitoring and conservation of species for which listing is warranted but precluded by other listing actions.

The Act provides a number of exceptions to its prohibitions against "take" of listed species through permitting programs. Regulations have been promulgated at 17.22 (c) and (d) for endangered wildlife species, and 17.32 (c) and (d) for threatened wildlife species, to guide implementation of these permitting programs for Enhancement of Survival permits associated with Safe Harbor Agreements, and with Candidate Conservation Agreements with Assurances under section 10(a)(1)(A) of the Act. **Form 3-200-54** was developed to facilitate collection of information required by these regulations.

**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 questionnaire, every question needs to be justified.]**

**Form 3-200-54** addresses application and reporting information requirements for Enhancement of Survival permits associated with Safe Harbor Agreements and Candidate Conservation Agreements with Assurances under section 10(a)(1)(A) of the Act. These Enhancement of Survival permits are necessary to implement two policies developed by the U.S. Fish and Wildlife Service (Service) and the National Marine Fisheries Service under the Act. (NMFS has developed separate regulatory changes to implement these policies.) The Safe Harbor policy and the Candidate Conservation Agreements with Assurances policy are intended to provide incentives for private and other non-Federal landowners to voluntarily restore, enhance, or maintain habitats for listed, proposed and candidate species and species likely to become candidates in the near future. Candidate species are those for which the Service has sufficient information to develop a proposed listing but doing so is precluded by other higher priority listing activities.

An Enhancement of Survival permit authorizes incidental take that may occur under the Safe Harbor Agreement or Candidate Conservation Agreement with Assurances. Take authorized under this permit program would otherwise be prohibited under the Act. Under the Safe Harbor policy, non-Federal property owners who voluntarily enter into a Safe Harbor Agreement for implementation of conservation measures for listed species will receive assurances from the Service that additional regulatory restrictions will not be imposed beyond those existing at the time of the Agreement. Under the Candidate Conservation Agreements with Assurances policy, non-Federal property owners who voluntarily enter into such an Agreement for implementation of conservation measures for species proposed for listing, species that are candidates for listing, or species that are likely to become candidates in the near future will receive assurances from the Service that additional conservation measures will not be required and additional regulatory restrictions will not be imposed should the species become listed in the future. The permits issued for candidate species become effective when the species is listed.

We have revised the instructions in these permit application forms to make them easier to use

and understand. We kept the existing application requirements, but re-grouped them for added clarification and standardization between the 3 forms. We added a check box to allow applicants to designate an authorized agent to represent them. We have also added information to clarify the permit application process in order to avoid common mistakes.

Safe Harbor Agreements - The following covers application requirements in 17.22(c) and 17.32(c) for Enhancement of Survival permits associated with Safe Harbor Agreements. These regulations consist of application requirements for endangered and threatened wildlife permits, and permit conditions for endangered and threatened wildlife permits. The information is used by the Service to evaluate applications and issue or deny permits based on the issuance criteria in 17.22(c)(2) and 17.32(c)(2). The issuance criteria are designed to ensure that the requirements of the Act are met, i.e., that conduct of the requested actions and issuance of the permit will enhance the survival of the species.

The purpose for each information request follows.

A copy of the final Safe Harbor Agreement is necessary for the Service to evaluate whether the actions the landowner proposes to take will produce the intended results for the species. It also enables the Service to determine whether the Agreement upon which the permit is to be based is consistent with applicable State laws and regulations and does not conflict with any ongoing conservation programs for species to be covered by the permit, and whether the applicant has shown capability and commitment to implementing all of the terms of the agreement. A description of how the activities included in the Agreement will provide a net conservation benefit to the species is necessary for the Service to assess whether the permit will meet the requirements of the Act, i.e., that issuance of the permit will enhance the survival of the species.

Section A. The common and scientific names are necessary to identify the wildlife to be covered by the permit, as well as a description of the proposed activity, so the evaluation and permit can be tailored to the individual species' requirements. We divided the information requests into two categories: those for a new permit and those for an amended permit.

Section B. Identifies the area in which activities would be carried out. A description of the property land use activity for which the applicant requests incidental take authorization is necessary for the Service to know the type and level of take that the applicant expects to conduct so the impacts to the species can be assessed. At the time a Safe Harbor Agreement is developed, the Service and applicant will identify a "baseline" condition that the applicant/permittee voluntarily agrees to maintain. The application will request identification of the baseline because the information is crucial to determining whether the permit will enhance the survival of the species.

Section C. Identify all required Federal and State permits currently held or needed for the proposed activity, not just Federal Fish and Wildlife permits. This request corresponds to item C.1. and C.2. on page 1 for the same information for Federal Fish and Wildlife and State permits.

Certification Notice. The Certification Notice allows applicants can certify that they own the land indicated in this application or have sufficient authority or rights over these lands to implement the measures of the Safe Harbor Agreement and/or Candidate Conservation Agreement with Assurances.

This paragraph addresses the reporting requirements of 17.22(c)(3) and 17.32(c)(3):

1) The permittee will be required to notify the Service of any transfer of lands subject to the Safe Harbor Agreement so that any new landowners may be offered the opportunity to continue the actions the original landowner agreed to and he/she may be offered the same legal assurances. A major incentive for landowner participation in the Safe Harbor program is the long-term certainty the program provides, including the certainty that the incidental take authorization will stay with the land when it changes hands. 2) The Service requires the permittee/landowner to notify the Service as far in advance as possible of when he or she expects to incidentally take any species covered under the permit to provide the Service with an opportunity to translocate affected individual specimens if possible and appropriate. 3) The Director may deem other requirements necessary or appropriate to carrying out the purposes of the permit and the Safe Harbor Agreement to ensure that the permittee is in compliance with the terms of the permit and Agreement. For instance, if a landowner agreed to fence an area to exclude grazing animals and to monitor reestablishment of the species in the fenced area, the Service may require a report to monitor compliance and success of the conservation strategy. If landowner actions are not accomplishing their intended results, adaptive management actions agreed to by all parties may be appropriate.

Candidate Conservation Agreements with Assurances - The following covers application requirements in 17.22(d) and 17.32(d) for Enhancement of Survival permits associated with Candidate Conservation Agreements with Assurances. These regulations consist of application requirements for endangered and threatened wildlife permits, and permit conditions for endangered and threatened wildlife permits. The information is used by the Service to evaluate applications and issue or deny permits based on the Issuance Criteria in 17.22(d)(2) and 17.32(d)(2). Candidate species are treated as if they were listed species. The issuance criteria are designed to ensure that the requirements of the Act are met, i.e., that the conduct of the activity and issuance of the permit will enhance the survival of the species.

The purpose of each information request follows.

A copy of the final Candidate Conservation Agreement with Assurances is necessary for the Service to evaluate whether the actions the landowner proposes to take will produced the intended results for the species. It also enables the Service to determine whether the Agreement upon which the permit is to be based is consistent with applicable State laws and regulations and does not conflict with any ongoing conservation programs for species covered by the permit, and whether the applicant has shown capability and commitment to implementing all of the terms of the Agreement. A description of how the conservation and enhancement activities included in the Agreement are expected to reduce or remove the threat(s) to the species is necessary to enable the Service to

determine whether the permit will meet the requirements of the Act, i.e., that issuance of the permit will enhance the survival of the species.

Section A. The common and scientific names are necessary to identify the wildlife to be covered by the permit, as well as a description of the proposed activity, so the evaluation and permit can be tailored to the individual species' requirements. We divided the information requests into two categories: those for a new permit and those for an amended permit.

Section B. Identifies the area in which activities would be carried out. A description of the land use activity for which the applicant requests incidental take authorization is necessary for the Service to know the type and level of take that the applicant expects to conduct so the impacts to the species can be assessed. If the take would jeopardize the continued existence of the species, the permit would be denied.

Section C. Identify all required Federal and State permits currently held or needed for the proposed activity, not just Federal Fish and Wildlife permits. This request corresponds to item C.1. and C.2. on page 1 for the same information for Federal Fish and Wildlife and State permits.

Certification Notice. The Certification Notice allows applicants can certify that they own the land indicated in this application or have sufficient authority or rights over these lands to implement the measures of the Safe Harbor Agreement and/or Candidate Conservation Agreement with Assurances.

This paragraph addresses the reporting requirements of 17.22(d)(3) and 17.32(d)(3):

1) The permittee will be required to notify the Service of any transfer of lands subject to the Candidate Conservation Agreement with Assurances so that any new landowners may be offered the opportunity to continue the actions the original landowner agreed to and he/she may be offered the same legal assurances. A major incentive for landowner participation in the Candidate Conservation Agreement with Assurances program is the long-term certainty the program provides, including the certainty that the incidental take authorization will stay with the land when it changes hands. 2) The Service requires the permittee/landowner to notify the Service as far in advance as possible of when he or she expects to incidentally take any species covered under the permit to provide the Service with an opportunity to translocate affected individual specimens if possible and appropriate. 3) The Director may deem other requirements necessary or appropriate to carrying out the purposes of the permit and the Candidate Conservation Agreement with Assurances. This may be necessary to ensure that the permittee is in compliance with the terms of the permit and Agreement. For instance, if a landowner agreed to fence an area to exclude grazing and monitor reestablishment of the species in the fenced area, the Service may require a report to monitor compliance and success of the conservation strategy. If landowner actions are not accomplishing their intended results, adaptive management actions agreed to by all parties may be appropriate.

- 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].**

Currently, due to the need for an originally signed application form, we do not have on-line submission capabilities. However, applicants may submit any supporting documentation or information missing from the application, other than original signature, via facsimile transmission or through electronic mail. Applicants may also retrieve and complete page 1 of the application form via the internet using the Service's permit web page at <http://permits.fws.gov/>. The permit web page, which was launched in the Spring of 2003, was created to provide the public with one-stop-shopping for information on all of the permits issued by the Service.

The Service has requested funding for the GPEA permits e-government initiatives each year from FY 2002-FY2005. Funds requested to help accomplish this project were not received, yet the permit programs continue to work diligently with their available resources to complete the electronic submission of application forms and processing fees by the end of FY2004.

- 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 unique to the applicant and is not available from any other source. Application information is kept in office files to eliminate repeat or duplicate requests in the case of renewals, extensions or repeat applications. The Service developed an electronic permit issuance and tracking system that greatly improves retrieval of file information, therefore further reducing duplicate information requests for use in renewals, extensions and repeat applications. Since only the Service is authorized to issue this type of permit for species under Service jurisdiction, there is no duplication of other agencies' efforts. Ongoing development of the Service's permit issuance and tracking system will ensure that no duplication arises among Service offices.

- 5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

Small businesses or small entities must provide the same information required of individual applicants. The information requested is limited to the minimum necessary to establish eligibility.

**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 is necessary in order to satisfy public requests for permits. Reduced information collection would result in the Service's inability to respond to permit requests. The consequence of not collecting the information contained in this application form is that the applicant would not be issued a permit since the collected information is either required on the permit itself or needed to make the necessary findings under applicable laws and regulations. Consequently, without a permit, the activity in question would be prohibited. Each application is unique as to species, area, management actions, and purposes of the applicant seeking the permit. There is no information already available that can be used in lieu of that supplied by the applicant.

**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 would cause this information collection to be conducted 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.**

Attached is a copy of the Federal Register notice of April 9, 2004 (69 FR 18924) documenting the Service's 60-day notice soliciting comments on the information collection prior to submission to OMB. The Service received 1 comment in response to this notice. The commenter opposed the information collection and suggested that we should eliminate the permit application forms. They did not comment on the cost or burden hours. The Service will continue to use the permit application forms. The information collection in the forms is necessary in order to satisfy public requests for permits. Elimination of this information collection would result in the Service's inability to respond to permit requests.

**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. [Please list the names, titles, addresses, and phone numbers of persons contacted.]**

In addition to publishing a Federal Register notice, we sent surveys to 9 permittees and asked them to review the forms relating to the permits they hold and comment on the clarity and relevance of the information collection, the burden associated with the collection, and whether there is something the Service could do to minimize the burden.

Three surveys were sent to the following permittees who used permit application form 3-200-54.

Eric Rickerson Oregon Department of Fish and Wildlife (survey not returned)  
3406 Cherry Avenue, N.E.  
Salem, OR 97303  
Phone: (503) 947-6322

David Wolfe  
Environmental Defense  
44 East Avenue, Suite 304  
Austin, TX 78701  
Phone: (512) 478-5161

Mike Nichols  
Georgia Power Environmental Lay  
5131 Maner Road  
Smyrna, GA 30030  
Phone: (404) 799-2151

Comments we received on the application forms very favorable. Respondents believed the forms were easily available, and the instructions were clear. Their burden hour estimates for completing the permit application forms and annual reports were generally within the numerical range of estimates provided by our Regions, and within the Service's estimated national

averages.

One respondent for form 3-200-54 suggested we develop guidelines for permit applicants on determining the baseline conditions and habitat enhancement/restoration practices. They also suggested that these guidelines should be based on different groups of species because the baseline conditions for a large mammal is quite different than that of an amphibian. We will forward this suggestion to our permit staff.

Opportunities for informal public comment are available through extensive personal contact with the applicants. The Service, on its own initiative, continually evaluates the effectiveness of its regulations and permits. Necessary changes are made through the formal proposed rulemaking procedure at which time public comment is solicited and carefully responded to in a final rulemaking.

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 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.**

Not applicable. There are no circumstances that preclude consultation.

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

Not applicable, no payment or gift to respondents is made.

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

Information collected on permit applications is subject to the Privacy Act and Freedom of Information Act guidelines. All applicants are provided information on the form explaining the requirements of both Acts.

**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.**

Not applicable, no sensitive questions are asked.

**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 in Item 13 of OMB Form 83-I.**
- \* 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. Instead, this cost should be included in Item 14.**

The Service estimates that 22 applicants per year will apply for this type of permit. The Service estimates it will take an applicant an average of three hours to complete this permit application. Therefore, the annual burden to 22 applicants to complete the application totals 66 hours ( $22 \times 3 = 66$ ). Cost to applicants is estimated at \$60 each, or a total of \$1,320 based on an estimated cost of \$20 per hour for time spent compiling required information and completing the forms ( $3 \times \$20 = \$60 \times 22 = \$1,320$ ). These estimates are based on current experience with the application and current costs for time, printing, and assembly of information.

Monitoring report requirements for these permits vary widely depending on the complexity of permitted activities. The Service estimates that applicants will submit an average of 53 annual reports per year. Time requirements for this reporting will vary from a minimum of one half hour to a maximum of 1 day for individual permittees, with an average of approximately 8 hours per permittee per year. Since these permits usually require annual reports for multiple years over the life of the permit, the number of annual reports required in any one year will be greater than 22 permit applications received per year. Therefore, the annual burden to applicants of providing 53 annual reports totals 424 hours ( $53 \times 8 = 424$ ). Cost to applicants is estimated at \$160 each, or a total of \$8,480 based on an estimated cost of \$20 per hour for time spent compiling and organizing the required information ( $8 \times \$20 = \$160 \times 53 = \$8,480$ ). These estimates are based on current experience with monitoring reports and current cost for time, printing, analysis of information and any follow-up correspondence.

Type of Information: Enhancement of Survival w/ Safe Harbor Agreement & Candidate Conservation Agreement w/ Assurances (Form 3-200-54)	Number of Respondents	Number of Responses	Average Time Required Per Responses (hours)	Total Burden Hours	Total Dollar Value of Annual Burden Hours
permit application	22	22	3	66	\$1,320
annual report	53	53	8	424	\$8,480
TOTALS	75	75	11	490	\$9,800

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 shown in Items 12 and 14).

- \* 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]. 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 non-hour dollar cost is a \$25.00 processing fee per application. The annual non-hour dollar

burden to the respondents for form 3-200-54 is approximately \$550 (22 applicants multiplied by the \$25.00 application fee).

Type of Information: Enhancement of Survival w/ Safe Harbor Agreement & Candidate Conservation Agreement w/ Assurances (Form 3-200-54)	Number of Respondents	Number of Responses	Application Processing Fee	Total Annual Non-Hour Dollar Cost Burden
permit application	22	22	\$25	\$550

**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. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

For requested activities under forms 3-200-54 and 3-200-56, the Service works with potential permit applicants for a significant amount of time to assist them in developing their draft Safe Harbor Agreement, Candidate Conservation Agreement with Assurances, or Habitat Conservation Plan. During this pre-application phase, on average we spend anywhere from 3 months to 5+ years assisting potential permit applicants (depending upon the species, species status, and the complexity of the requested activity). Forms 3-200-54 and 3-200-56 are not filled out and submitted to the Service until after the Safe Harbor Agreement, Candidate Conservation Agreement with Assurances, or Habitat Conservation Plan documents are finalized.

There are currently 27 active permits issued under form 3-200-54. Six of these permits (22%) are for Safe Harbor Agreements and 21 of these permits (78%) are for Candidate Conservation Agreements with Assurances. We expect to receive 22 applications per year using form 3-200-54. Projecting from the currently active permits, we expect 5 of these applications to be for Safe Harbor Agreements ( $22 \times 22\% = 5$ ), and 17 of these applications to be for Candidate Conservation Agreements with Assurances ( $22 \times 78\% = 17$ ).

Time requirements to process this type of permit application will vary greatly depending upon the species, species status, and the complexity of the requested activity. Time requirements to process form 3-200-54 average 120 hours for a Safe Harbor Agreement. The total cost to the Federal government of processing and renewing this type of permit application is estimated at

\$2,400 per application, or a total of \$12,000 based on an estimated cost of \$20 per hour for time spent processing the application and 5 applications received ( $120 \times \$20 = \$2,400 \times 5 = \$12,000$ ).

Time requirements to process form **3-200-54** average 160 hours for a Candidate Conservation Agreement with Assurances. The total cost to the Federal government of processing and renewing this type of permit application is estimated at \$3,200 per application, or a total of \$54,400 based on an estimated cost of \$20 per hour for time spent processing the application and 17 applications received ( $160 \times \$20 = \$3,200 \times 17 = \$54,400$ ).

These estimates are based on current experience with the application and current costs for time, printing, analysis of information and issuance or denial of a permit. The estimates also include the time required for review of the permit application by staff in the Field Office, Regional Office, and Solicitor's Office.

We expect to receive 53 annual reports per year for form **3-200-54**. Time requirements to process an annual report average 1 hour. The total cost to the Federal government for processing the annual reports is estimated at \$20 per annual report, or a total of \$1,060 based on an estimated cost of \$20 per hour for time spent processing the annual report and 53 annual reports received ( $1 \times \$20 = \$20 \times 53 = \$1,060$ ). These estimates are based on current experience with annual reports and current cost for time, analysis of information and any follow-up correspondence.

Therefore, the total annual cost to the Federal government is estimated to be \$67,460 ( $\$12,000 + \$54,400 + \$1,060 = \$67,460$ ).

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**

Items 13 and 14 of the OMB Form 83-I show changes in both the total annual burden hours and total annual non-dollar cost burden to respondents that we are requesting in this renewal.

For form **3-200-54** in particular, the total annual burden hours in this request reflect a decrease of 385 hours (59 hours for applications and 326 hours for annual reports). This decrease is due to: (1) a more accurate estimate of the time it takes for an applicant, and permittee submitting an annual report, to complete the information collection requirements; and (2) a more accurate estimate of the number of applicants, and permittees submitting annual reports, each year.

In addition, for this form, the total annual non-dollar cost burden to applicants has decreased by \$700 (from \$1,250 to \$550) because of our more accurate estimate of the total annual number of respondents.

**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.**

Summary permit application information will be published in the Federal Register for a 30 day public comment period as required by our endangered wildlife permit regulations at 50 CFR 17.22.

**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.**

Not applicable, the expiration date will be displayed.

**18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.**

Not applicable, no exception is requested.

**B. Collections of Information Employing Statistical Methods**

This collection of information does not employ statistical methods.