



4333-15

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**[FWS-HQ-ES-2020-N059; FF09E00000 190 FXES11130900000; OMB Control Number 1018-0094]**

**Agency Information Collection Activities; Federal Fish and Wildlife Permit Applications and Reports – Native Endangered and Threatened Species**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, we, the U.S. Fish and Wildlife Service (Service), are proposing to renew an information collection with revisions.

**DATES:** Interested persons are invited to submit comments on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** Send your comments on the information collection request by mail to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041-3803 (mail); or by email to [Info\\_Coll@fws.gov](mailto:Info_Coll@fws.gov). Please reference OMB Control Number 1018-0094 in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** Madonna L. Baucum, Service Information Collection Clearance Officer, by email at [Info\\_Coll@fws.gov](mailto:Info_Coll@fws.gov), or by telephone at (703) 358-2503. Individuals who are hearing or speech impaired may call the Federal Relay Service at 1-800-877-8339 for TTY assistance.

**SUPPLEMENTARY INFORMATION:** In accordance with the PRA and its implementing regulations at 5 CFR 1320.8(d)(1), all information collections require approval under the PRA. We may not conduct or sponsor and you are not required to respond to a

collection of information unless it displays a currently valid OMB control number.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comment addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do

so.

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

Our regulations implementing the ESA are in chapter I, subchapter B of title 50 of the Code of Federal Regulations (CFR) (50 CFR 13 and 50 CFR 17). The regulations stipulate general and specific requirements that, when met, allow us to issue permits to authorize activities that are otherwise prohibited. Upon receipt of a complete application, the Director may issue a permit authorizing any activity otherwise prohibited by §17.21, in accordance with the issuance criteria of this section, for scientific purposes, for enhancing the propagation or survival, or for the incidental taking of endangered wildlife. Such permits may authorize a single transaction, a series of transactions, or a number of activities over a specific period of time. (See §17.32 for permits for threatened species.)

We collect information associated with application forms to determine the eligibility of applicants for permits requested in accordance with the criteria in section 10 of the ESA. The Service uses the following permit application forms for activities associated with native endangered and threatened species:

- Form 3–200–54, *Enhancement of Survival Permits Associated with Safe Harbor Agreement & Candidate Conservation Agreement with*

### *Assurances*

- Form 3–200–55, *Scientific Purposes, Enhancement of Propagation or Survival Permits (i.e., Recovery Permits) and Interstate Commerce Permits*
- Form 3–200–56, *Incidental Take Permits Associated with a Habitat Conservation Plan*

Based on which permits are issued, we also require reports to monitor activities associated with permitted activities in accordance with their permits issued based on 50 CFR 17. Annual reports associated with permits are tailored to a specific activity based on the requirements for specific types of permits. In some cases, we developed specific information collection forms to facilitate and standardize the reporting and review, and to facilitate development of electronic forms and electronic reporting and retrieval of that information.

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

- Form 3–202–55a, *Region 2 [Southwest] Bat Reporting Spreadsheet*
- Form 3–202–55b, *Region 3 [Midwest] Bat Reporting Spreadsheet*
- Form 3–202–55c, *Region 4 [Southeast] Bat Reporting Spreadsheet*
- Form 3–202–55d, *Region 5 [Northeast] Bat Reporting Spreadsheet*
- Form 3–202–55e, *Region 6 [Mountain-Prairie] Bat Reporting Spreadsheet*
- Form 3–202–55f, *Non–Releasable Sea Turtle Annual Report*

- Form 3–202–55g, *Sea Turtle Rehabilitation*

Additionally, we require the following notifications be made to the Service:

- Private landowners who have an Enhancement of Survival Permit (and accompanying Safe Harbor Agreement or Candidate Conservation Agreement with Assurances) must notify us if their land management activities incidentally take a listed or candidate species covered under their permit.
- We issue Enhancement of Survival Permits to landowners, and their name is printed on the permit. If ownership of the land changes, this permit does not automatically transfer to the new landowner. Therefore, we ask the permittee to notify us if there is a change in land ownership so that we may update the permit; and
- If a recovery or interstate commerce permit authorizes activities that include keeping wildlife in captivity, we ask the permittee to notify us if any of the captive wildlife escape.

## **PROPOSED REVISIONS**

The Service is proposing to revise this collection to request OMB approval of the following seven new forms:

- Form 3–2523, *Freshwater Mussel Reporting Form*
- Form 3–2526, *Bumble Bee Reporting Form*
- Form 3–2530, *California/Nevada Recovery Permit Annual Summary Report Form*
- Form 3–2531, *General Recovery Permit Reporting Form*
- Form 3–2532, *U.S. Fish and Wildlife Service Geographic Area: Alaska Bat Reporting Form*

- Form 3–2533, *U.S. Fish and Wildlife Service Geographic Area: Northwestern Bat Reporting Form*
- Form 3–2534, *U.S. Fish and Wildlife Service Geographic Area: Western Bat Reporting Form*

Annual reporting of the results subsequent to the activity authorized by the permit is required in most cases (under the authority of section 10(a)(1)(A) of the ESA and its implementing regulations at 50 CFR 17). The Service designed the forms to facilitate the electronic reporting specifically for each species. The Service will use the reported data to evaluate the success of the permitted project, formulate further research, and develop and adjust management and recovery plans for the species. The data will also inform 5–year reviews and Species Status Assessments conducted under the ESA.

The Service is proposing to separate the existing approved FWS Form 3–200–55 into the following two separate forms:

- Form 3–200–59, *Recovery Permit Application Form*
- Form 3–200–60, *Interstate Commerce Application Form*

In the existing Form 3–200–55, the applicant may have difficulty distinguishing which fields should be completed, and which are relevant to the other permit type. Modifying this form will enable permittees applying for these separate permit types to more efficiently complete the forms, reducing confusion by eliminating text and fields that are not relevant to the type of permit the applicant is seeking. The forms also have been slightly updated and revised to better incorporate and explain the fields necessary to each permit category. Completion of the information on the forms regarding the activity(ies) to be authorized by the permit is required in most cases (under the authority of section 10(a)(1)(A) of the ESA and its implementing regulations at 50 CFR 17).

The Service is proposing to revise and rename the following five forms

associated with bat surveys:

- Form 3–202–55a, *U.S. Fish and Wildlife Service Geographic Area: Southwestern Bat Reporting Form*
- Form 3–202–55b, *U.S. Fish and Wildlife Service Geographic Area: Midwestern Bat Reporting Form*
- Form 3–202–55c, *U.S. Fish and Wildlife Service Geographic Area: Southeastern Bat Reporting Form*
- Form 3–202–55d, *U.S. Fish and Wildlife Service Geographic Area: Northeastern Bat Reporting Form*
- Form 3–202–55e, *U.S. Fish and Wildlife Service Geographic Area: Plains/Rockies Bat Reporting Form*

The Service is proposing changes to these forms to address comments received from the respondents. These changes include adding columns to increase flexibility for user data entry, to increase accuracy of Global Positioning System data, and to add three fields specifically requested by State natural resource agencies in order to unify their State databases with that of the Service. These additions eliminate the need for filing a separate reporting form with the State and reduce the overall reporting burden on the respondents. Completion of the information on the forms regarding the activity(ies) to be authorized by the permit is required in most cases (under the authority of section 10(a)(1)(A) of the ESA and its implementing regulations at 50 CFR 17).

The Service is proposing to revise and renew the following two forms associated with Habitat Conservation Plans, Safe Harbor Agreements, and Candidate Conservation Agreements with Assurances:

- Form 3–200–54, *Enhancement of Survival Permits Associated with Safe Harbor Agreements and Candidate Conservation Agreements with*

### *Assurances*

- Form 3–200–56, *Incidental Take Permits Associated with a Habitat Conservation Plan*

The Service is proposing to remove program contact information currently in these application forms, and instead link to a permanent website. This website will be frequently maintained and will provide the public with the most accurate contact information.

### *ePermits Initiative*

The Service's 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 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 (PCs), tablets, and smartphones. It will also link the permit applicant to the Pay.gov system for payment of associated permit application fees, where applicable.

Upon completion of the new e-permitting system, applicants applying for Recovery, Interstate Commerce, Habitat Conservation Plan Incidental Take Permits, Candidate Conservation Agreements with Assurances, and Safe Harbor Agreements Enhancement of Survival Permits will have the opportunity to apply directly online through a secure, web-based platform.

*Title of Collection:* Federal Fish and Wildlife Permit Applications and Reports – Native Endangered and Threatened Species; 50 CFR 10, 13, and 17.

*OMB Control Number:* 1018–0094.

*Form Number:* FWS Forms 3–200–54, 3–200–56, 3–200–59 (new), 3–200–60 (new), 3–202–55a through 3–202–55g, 3–202–55i, 3–2523 (new), 3–2526 (new), and 3–2530 through 3–2534 (new).

*Type of Review:* Revision of a currently approved collection.

*Respondents/Affected Public:* Individuals; private sector; and State/local/Tribal governments.

*Respondent's Obligation:* Voluntary.

*Frequency of Collection:* On occasion, annually, one time.

*Total Estimated Annual Nonhour Burden Cost:* \$59,750 for fees associated with permit applications and amendments.

<b>Requirement</b>	<b>Annual Number of Respondents</b>	<b>Total Annual Responses</b>	<b>Completion Time per Response</b>	<b>Total Annual Burden Hours*</b>
<b>SAFE HARBOR AGREEMENTS/CANDIDATE CONSERVATION AGREEMENTS WITH ASSURANCES</b>				
<i>Application (Form 3–200–54)</i>				
Individuals	5	5	3	15
Private Sector	21	21	3	63
Government	7	7	3	21
<i>Annual Report</i>				
Individuals	10	10	8	80
Private Sector	40	40	8	320
Government	14	14	8	112
<i>Notifications (Incidental Take)</i>				
Individuals	1	1	1	1
<i>Notifications (Change in Land Owner)</i>				
Individuals	1	1	1	1
<b>HABITAT CONSERVATION PLANS</b>				
<i>Application (Form 3–200–56)</i>				
Individuals	30	30	3	90
Private Sector	40	40	3	120
Government	5	5	3	15
<i>Annual Report</i>				
Individuals	360	360	10	3,600
Private Sector	380	380	10	3,800
Government	25	25	10	250
<i>Plan</i>				
Individuals	10	10	2,080	20,800
Private Sector	20	20	2,080	41,600
Government	16	16	2,080	33,280
<b>RECOVERY/INTERSTATE COMMERCE</b>				
<i>Recovery Permit Application (Form 3–200–59) NEW</i>				
Individuals	225	225	3	675
Private Sector	225	225	3	675
Government	110	110	3	330

<i>Interstate Commerce Application (Form 3-200-60) NEW</i>				
Individuals	45	45	3	135
Private Sector	10	10	3	30
Government	10	10	3	30
<i>Annual Report</i>				
Individuals	200	200	3	600
Private Sector	225	225	3	675
Government	310	310	3	930
<i>Request to Revise List of Authorized Individuals</i>				
Private Sector	30	30	0.5	15
<i>Notification (Escape of Wildlife)</i>				
Private Sector	1	1	1	1
<i>Annual Report – Form 3-202-55a (U.S. Fish and Wildlife Service Geographic Area: Southwestern Bat Reporting Form)</i>				
Individuals	5	5	2.5	13
Private Sector	5	5	2.5	13
Government	5	5	2.5	13
<i>Annual Report – Form 3-202-55b (U.S. Fish and Wildlife Service Geographic Area: Midwestern Bat Reporting Form)</i>				
Individuals	15	15	2.5	38
Private Sector	15	15	2.5	38
Government	12	12	2.5	30
<i>Annual Report – Form 3-202-55c (U.S. Fish and Wildlife Service Geographic Area: Southeastern Bat Reporting Form)</i>				
Individuals	5	5	2.5	13
Private Sector	5	5	2.5	13
Government	5	5	2.5	13
<i>Annual Report – Form 3-202-55d (U.S. Fish and Wildlife Service Geographic Area: Northeastern Bat Reporting Form)</i>				
Individuals	5	5	2.5	13
Private Sector	5	5	2.5	13
Government	5	5	2.5	13
<i>Annual Report – Form 3-202-55e (U.S. Fish and Wildlife Service Geographic Area: Plains/Rockies Bat Reporting Form)</i>				
Individuals	5	5	2.5	13
Private Sector	5	5	2.5	13
Government	5	5	2.5	13
<i>Annual Report – Form 3-202-55f Non-Releasable Sea Turtle Annual Report</i>				
Private Sector	2	2	0.5	1
Government	5	5	0.5	3
<i>Quarterly Report – Form 3-202-55g Sea Turtle Rehabilitation</i>				
Private Sector	20	20	0.5	10
<i>Annual Report – Form 3-2523 (Freshwater Mussel Reporting Form) NEW</i>				
Individuals	15	15	2	30
Private Sector	70	70	2	140
Government	15	15	2	30
<i>Annual Report – Form 3-2526 (Bumble Bee Reporting Form) NEW</i>				
Individuals	45	45	2	90
Private Sector	15	15	2	30
Government	15	15	2	30
<i>Annual Report – Form 3-2530 (California/Nevada Annual Reporting Form) NEW</i>				
Individuals	291	291	3	873
Private Sector	291	291	3	873
Government	173	173	3	519
<i>Annual Report – Form 3-2531 (General Annual Reporting Form) NEW</i>				
Individuals	200	200	3	600
Private Sector	225	225	3	675

Government	310	310	3	930
<i>Annual Report – Form 3–2532 (U.S. Fish and Wildlife Service Geographic Area: Alaska Bat Reporting Form) NEW</i>				
Individuals	5	5	2.5	13
Private Sector	5	5	2.5	13
Government	5	5	2.5	13
<i>Annual Report – Form 3–2533 (U.S. Fish and Wildlife Service Geographic Area: Northwestern Bat Reporting Form) NEW</i>				
Individuals	5	5	2.5	13
Private Sector	5	5	2.5	13
Government	5	5	2.5	13
<i>Annual Report – Form 3–2534 (U.S. Fish and Wildlife Service Geographic Area: Western Bat Reporting Form) NEW</i>				
Individuals	5	5	2.5	13
Private Sector	5	5	2.5	13
Government	5	5	2.5	13
Totals:	4,215	4,215		113,465

\*Rounded

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Dated: June 30, 2020.

Madonna L. Baucum,

*Information Collection Clearance Officer, U.S. Fish and Wildlife Service.*

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