

Supporting Statement for Paperwork Reduction Act Submissions

for applications and reports for **Raptor Propagation Permits** contained in the regulations at 50 CFR 21.30.

A. Justification

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 the Migratory Bird Treaty Act. The information collection for Raptor Propagation permits involves three forms tailored specifically for the activity. Information collection requirements are contained in the application for a permit that will allow the permit holder to take, possess, transport, sell, purchase, barter, or transfer any raptor, raptor egg, or raptor semen for propagation purposes. The Application Form for this activity was assigned number **3-200-12**. The information collection requirements to report acquisitions and dispositions of raptors under the permit are contained in the Migratory Bird Acquisition and Disposition Report (Acquisition/Disposition Report), which is assigned form number **3-186 A**.

The information collection requirements for the Annual Report for the permit are contained in the annual report form, which is assigned form number **3-202 e**. The Annual Report form for this permit apparently was inadvertently omitted from the justification for the last OMB approval cycle. However, this annual report has been required by the regulations (50 CFR 21.30(d)(16)) since the raptor propagation regulations were amended in 1984.

1. The Migratory Bird Treaty Act (MBTA) implements four treaties to protect migratory birds that the United States signed with Canada, Mexico, Japan, and Russia. The prohibitions under the MBTA effect the conservation objectives of the treaties. Under the MBTA it is unlawful to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase or barter, any migratory bird, their parts, nests, or eggs, except as permitted by regulations. Regulations implementing the MBTA authorize certain activities that are consistent with the intent of the treaties through a permitting system. The regulations for Raptor Propagation Permits, including requirements for applications, acquisition and disposition reports, and annual report, appear in 50 CFR 21.30. The information collection requirements necessary for the public to apply for the permit and to comply with Migratory Bird Acquisition and Disposition Report requirements are contained in the current OMB approval. As stated above, the information collection requirements for the Annual Report apparently were inadvertently omitted from the last OMB submission. Since the issuance of the current OMB approval, the application and report forms have been re-formatted, streamlined, and modified for clarity.

The appropriate sections of the MBTA and the implementing regulations mandating or authorizing the collection of information are attached.

2. (A) Application. The application information collection is achieved using the Service's Application form 3-200-12, which addresses the specific permit application requirements contained in 50 CFR 21.30. The information is used by the Service to evaluate whether a permit

can be issued to allow the applicant to take, possess, transport, sell, purchase, barter, or transfer any raptor, raptor egg, or semen of any raptor regulated by the MBTA for propagation purposes. The permits are valid for 3 years.

(B) Reports. If a Raptor Propagation Permit is issued to the applicant, he/she is required to notify the Service by submitting an Acquisition/Disposition Report (Form 3-186A) whenever he/she takes a bird from the wild or conducts a transaction (sale, purchase, barter, transfer) under the permit. The report information is used by the Service to determine whether a permit holder is in compliance with his or her permit and also so the Service can monitor the number of birds taken from the wild.

The Annual Report (Form 3-202 e) is used by the Service to determine whether a permit holder is in compliance with his or her permit. This annual report form has been modified for clarification and we are reducing the amount of information collected to request only the information we track in our database. We request an inventory of the raptors the propagator acquired and raised during the report year, hatch dates, numbers of raptors that survived past 2 weeks, band numbers, and, if transferred, to whom, and if received from another permittee, from whom. We no longer intend to collect information on the number of eggs laid and the number of fertile eggs.

3. To date, the electronic submission of the application is not possible. We must receive an originally signed application form. Facsimile and e-mailed signatures are not accepted, although applicants may submit supporting materials by facsimile transmission. We expect that as technology advances, we will be able to accept electronic submissions of applications. Therefore, we have changed the format of page 1 of the application form so that the information fields on the form correspond to the data fields in our Service-wide permit issuance and tracking computer system. Once the form is approved, it will be posted on the Internet in a format that will allow the public to complete the form on-line and print the completed form for signature and submission.

4. No duplicate information is collected elsewhere in the Service that could be utilized to decide whether this permit can be issued or whether a permittee is in compliance with his/her permit. Except for the general information such as name and address, no other Federal agency collects information of this kind.

5. The Service estimates that 10 small businesses and/or small entities annually submit applications and 150 submit reports that contain these information collection requirements. This is not considered a substantial number of small businesses. We have modified the application and report forms for clarity to facilitate completion, and we have streamlined our reporting requirements.

6. 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 legal findings and determinations under the MBTA.

7. It is not anticipated that a respondent would have to address any of the information collection methods or circumstances described in this justification instruction.
8. We will request comments on this information collection in a Federal Register notice.
9. There is no provision within the MBTA to provide any gift or payment to respondents.
10. Since the information collected is subject to the requirements of the Privacy Act and the Freedom of Information Act, the Service can assure confidentiality to respondents. All applicants receive an information sheet explaining the requirements of both Acts.
11. None of the information collected on this application form is of a sensitive nature.
12. Service experience indicates that approximately 48 respondents will apply for a Raptor Propagation Permit each year. (This does not include the number of permittees requesting renewal of a permit due to expire, which is captured under the permit renewal application form 3-200-58.) The frequency of response is on occasion. It will take the respondent an average of an hour and a half (1.5 hours) to complete the application, with a total burden assumed by all applicants of 72 hours or less. Approximately 345 permits are valid during any given year, and each permit requires an annual report which takes approximately 1 hour to complete. Therefore, the total annual report burden assumed by all applicants would be 345 hours or less. An estimate of 5,000 Acquisition/Disposition Reports are submitted by permittees annually. These take approximately 10 minutes (.17 hours) to complete, with a total burden of 833 hours. Therefore, the total annual burden to Raptor Propagation permittees is 1,250 hours.

We estimate that 10 small businesses and/or small entities annually submit applications and 150 submit reports that contain these information collection requirements. Assuming an hourly cost of \$10.00 yields \$ 4,983 (\$150 for application + \$1500 for annual report + \$ 3,333 for disposition reports) plus a \$25.00 application fee (\$ 250) for businesses, totaling \$ 1,765. All other applicants for this type of permit are individuals.

13. The annual "out of pocket" cost to the respondents is approximately \$ 2,450 (98 applicants multiplied by the \$25 application processing fee).

14. The annualized cost to the Federal Government for processing applications is estimated to be approximately \$ 2,016 or less. This value is based on the average salary per hour of the Service personnel likely to be involved in the processing of the applications (\$17), plus operational expenses per hour (\$4), multiplied by the estimated number of hours required to process an application (2), multiplied by the number of applications the Service receives each year (48).

The annualized cost to the Federal Government for processing reports is estimated to be approximately \$ 37,415. This value is based on the average salary per hour of the Service personnel likely to be involved in the processing of the applications (\$17), plus operational expenses per hour (\$4), multiplied by the estimated number of hours required to process a report

(20 minutes or .333 hours), multiplied by the number of reports the Service receives each year (5,345).

15. The reduction in estimated annual burden and cost to the Government resulted from our adjustment of our information collection analysis to differentiate between new permit applications (i.e., new respondents) and requests to renew existing permits that are due to expire. We have developed a streamlined renewal application (see form 3-200-58), which takes considerably less time to complete. Previous respondent figures for this permit application included applications received requesting renewal of a permit due to expire.

16. There are no plans for publication of the results of this information collection.

17. The Service is not seeking approval to not display the expiration date for OMB approval.

18. There are no exceptions to the certification statement contained in Item 19 of OMB Form 83-I for the information being collected by this application form.

B. Collection of Information employing Statistical Methods.

No statistical methods are used.