

**From:** [Baucum, Madonna L](#)  
**To:** [Hansen, Craig](#); [Hornaday, Kelly](#); [Murnane, Amanda M](#)  
**Cc:** [Alt, Nicole](#); [Broderdorp, Kurt](#); [Becker, Scott A](#); [Eanett, Jillian H](#); [Craghead, Anissa](#); [Wilkinson, Susan](#); [Pereboom, Benjamin B](#)  
**Subject:** Re: [NEW DRAFT RULE] FR00004962 | Proposed section 10(j) rule for the gray wolf in Colorado |  
**Date:** Friday, March 31, 2023 11:42:58 AM  
**Attachments:** [Outlook-e4gai3jn.png](#)  
[Outlook-wmgfctvp.png](#)  
[Outlook-uvmcagr.png](#)  
[1018-0189 SSA gray wolf FR \(RIN 1018-BG79\) draft 03312023.docx](#)

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Hi, Craig, Kelly, and Amanda - Although the comment period for the CO gray wolf proposed rule (RIN 1018-BG79) doesn't end until April 18th, OIRA concurred with the PRA submission and returned it to me with instructions to resubmit the PRA package at the final rule stage (their typical response). They assigned OMB Control No. 1018-0189 to this new collection which we'll need to reference in your final rule.

Once your comment period closes, please make note of all comments that address the information collection requirements below and provide copies of those comments to me (as PDF files):

- Appointment of designated agent
- Request for written take authorization
- Request for "shoot-on-sight" written take authorization
- Reporting requirements:
  - Lethal take
  - Opportunistic or intentional harassment
  - Reporting of gray wolves taken into captivity for care or to be euthanized
- Annual report
- Recovery or reporting of dead individuals and specimen collection from experimental population

I started the necessary updates to your Supporting Statement A (attached). You will need to address all comments regarding the bulleted items above in question 8. Please use tracked changes for any changes you make to it.

Once you've reviewed all comments and made the appropriate updates to question 8, please review the remaining questions in the SSA and then return it to me. I'll use it to update the PRA language in your draft final rule.

Thank you!

**Madonna L. Baucum** [she / her]  
*Regulations and Policy Chief and [Information Collection Clearance Officer](#)*  
*[Policy and Regulations Branch](#), Division of Policy, Economics, Risk Management, and Analytics (PERMA)*  
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*I live in and work remotely from northern Colorado in the traditional lands of the Cheyenne Nation, descendants from two related Tribes, the Tsétséhestâhese/Tsitsistas (Cheyenne proper) and Só'taeo'o/Só'taétaneo'o (better known as Suhtai or Sutaio).*

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**From:** Hansen, Craig <Craig\_Hansen@fws.gov>


**Sent:** Wednesday, November 16, 2022 8:52 AM

**To:** Wilkinson, Susan <susan\_wilkinson@fws.gov>; Baucum, Madonna L <madonna\_baucum@fws.gov>; Hornaday, Kelly <Kelly\_Hornaday@fws.gov>

**Cc:** Murnane, Amanda M <amanda\_murnane@fws.gov>; Alt, Nicole <Nicole\_Alt@fws.gov>; Broderdorp, Kurt <kurt\_broderdorp@fws.gov>; Becker, Scott A <scott\_becker@fws.gov>; Ellis, Lisa A <Lisa\_Ellis@fws.gov>; Eanett, Jillian H <jillian\_eanett@fws.gov>; Craghead, Anissa <anissa\_craghead@fws.gov>

**Subject:** Re: [NEW DRAFT RULE] FR00004962 | Proposed section 10(j) rule for the gray wolf in Colorado |

Thank you so much for your help. I have accepted all of your edits.

I have uploaded a new clean version to DTS, and it is also available on Teams here:  [20221116\\_Proposed\\_Rule\\_v17.docx](#)

Please note, we await a few things before we can officially transmit to HQ:

- Cross-regional concurrence from Region 2;
- Surname by Matt Hogan, Regional Director Region 6.

Thank you again!

Craig.

---

**From:** Wilkinson, Susan <susan\_wilkinson@fws.gov>

**Sent:** Wednesday, November 16, 2022 8:24 AM

**To:** Hansen, Craig <Craig\_Hansen@fws.gov>; Baucum, Madonna L <madonna\_baucum@fws.gov>; Hornaday, Kelly <Kelly\_Hornaday@fws.gov>

**Cc:** Murnane, Amanda M <amanda\_murnane@fws.gov>; Alt, Nicole <Nicole\_Alt@fws.gov>; Broderdorp, Kurt <kurt\_broderdorp@fws.gov>; Becker, Scott A <scott\_becker@fws.gov>; Ellis, Lisa A <Lisa\_Ellis@fws.gov>; Eanett, Jillian H <jillian\_eanett@fws.gov>; Craghead, Anissa <anissa\_craghead@fws.gov>

**Subject:** Re: [NEW DRAFT RULE] FR00004962 | Proposed section 10(j) rule for the gray wolf in Colorado |

Good morning, all.

The attached version contains updated PRA language from Madonna, and some additional edits from me.

It is in tracked changes. I didn't upload a clean copy to DTS because I wanted you to be able to see the changes.

If you accept the edits, we can put a clean copy in the record and surname the package and move it on.

Thank you!

**Susan L. Wilkinson**

*Senior Regulatory Analyst*

Division of Policy, Economics, Risk Management, and Analytics; [Policy and Regulations Branch](#),  
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**From:** Hansen, Craig <Craig\_Hansen@fws.gov>

**Sent:** Thursday, November 10, 2022 4:07 PM

**To:** Wilkinson, Susan <susan\_wilkinson@fws.gov>; Baucum, Madonna L <madonna\_baucum@fws.gov>; Hornaday, Kelly <Kelly\_Hornaday@fws.gov>

**Cc:** Murnane, Amanda M <amanda\_murnane@fws.gov>; Alt, Nicole <Nicole\_Alt@fws.gov>; Broderdorp, Kurt <kurt\_broderdorp@fws.gov>; Becker, Scott A <scott\_becker@fws.gov>; Ellis, Lisa A <Lisa\_Ellis@fws.gov>; Eanett, Jillian H <jillian\_eanett@fws.gov>; Craghead, Anissa <anissa\_craghead@fws.gov>

**Subject:** Re: [NEW DRAFT RULE] FR00004962 | Proposed section 10(j) rule for the gray wolf in Colorado |

Thank you again, Sue. DTS updated with a new clean version, which is also attached here for ease of reference.

Craig.

---

**From:** Hansen, Craig <Craig\_Hansen@fws.gov>

**Sent:** Thursday, November 10, 2022 1:28 PM

**To:** Wilkinson, Susan <susan\_wilkinson@fws.gov>; Baucum, Madonna L <madonna\_baucum@fws.gov>; Hornaday, Kelly <Kelly\_Hornaday@fws.gov>

**Cc:** Murnane, Amanda M <amanda\_murnane@fws.gov>; Alt, Nicole <Nicole\_Alt@fws.gov>; Broderdorp, Kurt <kurt\_broderdorp@fws.gov>; Becker, Scott A <scott\_becker@fws.gov>; Ellis, Lisa A <Lisa\_Ellis@fws.gov>; Eanett, Jillian H <jillian\_eanett@fws.gov>; Craghead, Anissa <anissa\_craghead@fws.gov>

**Subject:** Re: [NEW DRAFT RULE] FR00004962 | Proposed section 10(j) rule for the gray wolf in Colorado |

Thank you, Sue:

We accept all of your edits, and I am preparing a new clean version and will update DTS by COB MST.

Most appreciated.

Craig Hansen

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**From:** Wilkinson, Susan <susan\_wilkinson@fws.gov>

**Sent:** Thursday, November 10, 2022 1:21 PM

**To:** Hansen, Craig <Craig\_Hansen@fws.gov>; Baucum, Madonna L <madonna\_baucum@fws.gov>; Hornaday, Kelly <Kelly\_Hornaday@fws.gov>

**Cc:** Murnane, Amanda M <amanda\_murnane@fws.gov>; Alt, Nicole <Nicole\_Alt@fws.gov>; Broderdorp, Kurt <kurt\_broderdorp@fws.gov>; Becker, Scott A <scott\_becker@fws.gov>; Ellis, Lisa A <Lisa\_Ellis@fws.gov>; Eanett, Jillian H <jillian\_eanett@fws.gov>; Craghead, Anissa <anissa\_craghead@fws.gov>

**Subject:** Re: [NEW DRAFT RULE] FR00004962 | Proposed section 10(j) rule for the gray wolf in Colorado |

Hi---some errors got introduced in the revised version.

I've attached another version here. I am ready to surname. Please let me know if the edits are acceptable.

Thanks, and best wishes for a great weekend, all.

**Susan L. Wilkinson**

*Senior Regulatory Analyst*

Division of Policy, Economics, Risk Management, and Analytics; [Policy and Regulations Branch](#),  
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**From:** Hansen, Craig <Craig\_Hansen@fws.gov>  
**Sent:** Wednesday, November 9, 2022 3:44 PM  
**To:** Baucum, Madonna L <madonna\_baucum@fws.gov>; Eanett, Jillian H <jillian\_eanett@fws.gov>; Craghead, Anissa <anissa\_craghead@fws.gov>; Wilkinson, Susan <susan\_wilkinson@fws.gov>  
**Cc:** Murnane, Amanda M <amanda\_murnane@fws.gov>; Alt, Nicole <Nicole\_Alt@fws.gov>; Broderdorp, Kurt <kurt\_broderdorp@fws.gov>; Becker, Scott A <scott\_becker@fws.gov>; Hornaday, Kelly <Kelly\_Hornaday@fws.gov>; Ellis, Lisa A <Lisa\_Ellis@fws.gov>  
**Subject:** [NEW DRAFT RULE] FR00004962 | Proposed section 10(j) rule for the gray wolf in Colorado  
|

Greetings, PRB:

Many thanks for your review and assistance of the subject rule so far. We believe we have addressed your comments and improved the rule throughout. The new version is attached to this email, and also updated in DTS.

Thank you again for your time and expertise, and please let us know if we can answer any questions.

Craig Hansen

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**From:** Baucum, Madonna L <madonna\_baucum@fws.gov>  
**Sent:** Monday, October 31, 2022 8:27 AM  
**To:** Hansen, Craig <Craig\_Hansen@fws.gov>; Hornaday, Kelly <Kelly\_Hornaday@fws.gov>; Ellis, Lisa A <Lisa\_Ellis@fws.gov>; Murnane, Amanda M <amanda\_murnane@fws.gov>  
**Cc:** Craghead, Anissa <anissa\_craghead@fws.gov>; Eanett, Jillian H <jillian\_eanett@fws.gov>; Wilkinson, Susan <susan\_wilkinson@fws.gov>  
**Subject:** Re: FR00004962 | Proposed section 10(j) rule for the gray wolf in Colorado | Friendly check-in

Hi, Craig and Kelly - There are items in the reg text subject to the Paperwork Reduction Act (PRA) that are not currently approved under the ExPop collection (1018-0095). Let's set up a time to chat, including Lisa Ellis and Amanda Murnam (Amanda is the "owner" of that

collection, along with 1018-0094) to discuss. I will have to adjust the PRA language in your rule after we chat before it can go forward for PRB's surname.

Thanks,

**Madonna L. Baucum** [she / her / hers]

*Regulations and Policy Chief and [Information Collection Clearance Officer](#)  
[Policy and Regulations Branch](#), Division of Policy, Economics, Risk Management, and Analytics (PERMA)*

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---

**From:** Baucum, Madonna L <madonna\_baucum@fws.gov>

**Sent:** Monday, October 31, 2022 6:46 AM

**To:** Wilkinson, Susan <susan\_wilkinson@fws.gov>; Hansen, Craig <Craig\_Hansen@fws.gov>; Hornaday, Kelly <Kelly\_Hornaday@fws.gov>

**Cc:** Craghead, Anissa <anissa\_craghead@fws.gov>; Eanett, Jillian H <jillian\_eanett@fws.gov>

**Subject:** Re: FR00004962 | Proposed section 10(j) rule for the gray wolf in Colorado | Friendly check-in

Thank you - I have this on my to-do list for today.

**Madonna L. Baucum** [she / her / hers]

*Regulations and Policy Chief and [Information Collection Clearance Officer](#)  
[Policy and Regulations Branch](#), Division of Policy, Economics, Risk Management, and Analytics (PERMA)*

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**From:** Wilkinson, Susan <susan\_wilkinson@fws.gov>

**Sent:** Friday, October 28, 2022 10:13 AM

**To:** Hansen, Craig <Craig\_Hansen@fws.gov>; Hornaday, Kelly <Kelly\_Hornaday@fws.gov>; Baucum, Madonna L <madonna\_baucum@fws.gov>

**Cc:** Craghead, Anissa <anissa\_craghead@fws.gov>; Eanett, Jillian H <jillian\_eanett@fws.gov>

**Subject:** Re: FR00004962 | Proposed section 10(j) rule for the gray wolf in Colorado | Friendly check-in

Hi, Craig and Kelly,

Attached is a revised draft. I would like to see another version, as I've asked several questions about the proposed rule text.

A few general points:

- The definitions portion of the rule text includes terms that are not used in the rule text (at least I could not find them with a search). We should not define terms that are not actually used in the rule.
- I am confused as to the various references to dogs. In various portions of the rule text, dogs are differentiated as "livestock," "working," "pet," etc. However, it appears to me that protective actions can be taken when wolves attack any dog, regardless of its purpose.
- In the rule portion, I have highlighted in different colors the words "authorizations" and "permits." I assume these terms have different meanings, but they are used interchangeably in a few places. Can only the Service issue a permit, and our designated agents can issue authorizations? or is there some other difference? Some clarifying language would be helpful.

Madonna---please review the PRA implications. This rule includes reporting requirements in a few places.

Thank you!

**Susan L. Wilkinson**  
Senior Regulatory Analyst

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**From:** Hansen, Craig <Craig\_Hansen@fws.gov>  
**Sent:** Wednesday, October 26, 2022 3:44 PM  
**To:** Craghead, Anissa <anissa\_craghead@fws.gov>; Wilkinson, Susan <susan\_wilkinson@fws.gov>; Eanett, Jillian H <jillian\_eanett@fws.gov>  
**Cc:** Hornaday, Kelly <Kelly\_Hornaday@fws.gov>  
**Subject:** FR00004962 | Proposed section 10(j) rule for the gray wolf in Colorado | Friendly check-in

**FR00004962 | Proposed section 10(j) rule for the gray wolf in Colorado | Friendly check-in**

Greetings, PRB:

Just a friendly check-in to verify that I correctly routed the subject package (DCN FR0000496) to you in DTS. If I should have emailed instead to PRBdocs@fws.gov, I can do that instead too.

Once again, thank you so much for your help already on this package. Thank you!

Craig.



**Craig Hansen**  
U.S. Fish & Wildlife Service, Region 6  
Ecological Services - Branch of Classification & Recovery  
Recovery Coordinator / Fish & Wildlife Biologist  
**Phone:** (303) 236-4749 **Fax:** (303) 236-0027  
**Email:** craig\_hansen@fws.gov



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[Recovery Planning and Implementation \(RPI\)](#)

[The SSA Manuscript](#)

[SSA Reports on ECOS](#)

[Species with Recovery Plans on ECOS](#)

[National Listing Workplan](#)

[National Recovery Workplans](#)

[National Down and Delisting Workplan](#)

[Recovery Plans](#)

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

**Endangered and Threatened Wildlife,  
Experimental Populations – Colorado Gray Wolf (50 CFR 17.84)**

**OMB Control Number 1018-0189**

**Terms of Clearance:** This is a request for final approval of the new OMB control number assigned (1018-0189) in conjunction with information collection associated with our final rule (RIN 1018-BG79), Establishment of a Nonessential Experimental Population of the Gray Wolf in Colorado. Changes made to the ICR since OMB's review at the proposed rule stage are highlighted in yellow.

**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.

We prepared final regulations (RIN 1018-BG79) establishing a nonessential experimental population (NEP) of the gray wolf (*Canis lupus*) in the State of Colorado, under section 10(j) of the ESA. The State of Colorado (Colorado Parks and Wildlife or CPW) requested the Service establish an NEP in conjunction with their State-led gray wolf reintroduction effort. Establishment of this NEP will provide for allowable, legal, purposeful, and incidental taking of the gray wolf within a defined NEP area while concurrently providing for the conservation of the species. Designation of this NEP, at the request of CPW, facilitates their planned reintroduction of gray wolves to the State per the requirements of Proposition 114 (now codified as Colorado Revised Statute 33-2-105.8), which directs the CPW Commission to take the steps necessary to reintroduce gray wolves to lands west of the Continental Divide by December 23, 2023.

**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.

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.

There are no forms associated with this information collection. We propose to collect the following information where we have authorized harassment or lethal take of experimental animals (e.g., livestock predation or in defense of human life):

- **Appointment of designated agent** – A designated agent is an employee of a Federal, State, or Tribal agency that is authorized or directed by the Service to conduct gray wolf management. A prospective designated agent submits a letter to the Service requested designated agent status. The letter includes a proposal for the work to be completed and resume of qualifications for the work they wish to perform. The Service will then respond to the requester with a letter authorizing them to complete the work.
- **Request for written take authorization** – After receiving confirmation of wolf activity on private land, on a public land grazing allotment, or on a Tribal reservation, we or the designated agent may issue written take authorization valid for not longer than 1 year, with appropriate conditions, to any landowner or public land permittee to intentionally harass wolves. The harassment must occur in the area and under the conditions as specifically identified in the written take authorization.
- **Request for “shoot-on-sight” written take authorization** – The Service or designated agent may issue a “shoot-on-sight” written take authorization of limited duration (45 days or fewer) to a landowner or their employees, or to a public land grazing permittee, to take up to a specified (by the Service or our designated agent) number of wolves.
- **Reporting requirements** – Except as otherwise specified in this rule or in an authorization, any take of a gray wolf must be reported to the Service or our designated agent as follows (additional reasonable time will be allowed if access to the site is limited):
  - **Lethal take** must be reported within 24 hours.
  - **Opportunistic or intentional harassment** must be reported within 7 days.

- Gray wolves ***taken into captivity for care or to be euthanized*** must be reported to the Service within 24 hours, or as soon as reasonably appropriate.
- **Annual report** – To evaluate progress toward achieving State downlisting and delisting criteria, the Service will summarize monitoring information in an annual report by Colorado Parks and Wildlife. The report, due by June 30 of each year, will describe wolf conservation and management activities that occurred in Colorado each calendar or biological year. The annual report may include, but not be limited to:
  - post-release wolf movements and behavior;
  - wolf minimum counts or abundance estimates;
  - reproductive success and recruitment;
  - territory use and distribution;
  - cause-specific wolf mortalities; and
  - a summary of wolf conflicts and associated management activities to minimize wolf conflict risk.
- **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. Specimens are to be retained or disposed of only in accordance with directions from the Service. 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.

We will use the information described above to assess the effectiveness of control activities and develop means to reduce problems with livestock 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.

**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 plan 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 (varies between 24 hours to 7 days, depending on type of report) 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 February 17, 2023, we published proposed regulations (RIN 1018-BF08; [88 FR 10258](#)) to establish a nonessential experimental population (NEP) of the gray wolf (*Canis lupus*) in the State of Colorado, under section 10(j) of the ESA. The proposed rule solicited public comment for a period of 60 days on the information collection requirements described in this supporting statement, ending on April 18, 2023. We received the following comments (or did not receive any comments) in response to the proposed rule:

**Comment 1:** [Provide synopsis of comment]

**Agency Response to Comment 1:** [Provide agency response to comment and indicate whether or not any action was taken. If no action was taken, please indicate why not.]

**Comment 2:** [Provide synopsis of comment]

**Agency Response to Comment 1:** [Provide agency response to comment and indicate whether or not any action was taken. If no action was taken, please indicate why not.]

The State of Colorado requested the Service establish an NEP in conjunction with their State-led gray wolf reintroduction effort. Establishment of this NEP will provide for allowable, legal, purposeful, and incidental taking of the gray wolf within a defined NEP area while concurrently providing for the conservation of the species.

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. We will maintain the information in a secure System of Records – [Interior/FWS-27](#), Correspondence Control System (May 28, 1999; 64 FR 29055 – modified June 4, 2008 (73 FR 31877) and March 16, 2023 (88 FR 16277)).

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 **24 responses annually**, totaling **24 annual burden hours (rounded)**. We estimate the total dollar value of the annual burden hours for this collection to be **\$1,108 (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.

This is a new experimental population; therefore, we do not have actual burden estimates at this time. We are reporting a placeholder of 1 response per requirement and will update these burden estimates with the accurate response rates with the first renewal of this collection.

\$ Value

**Commented [MLB1]:** I'll update this after the rest of the document is dusted off as it will be updated at least once, likely twice, before we're ready to submit the final rule.  
Thanks – Madonna

|  | Number of<br>Annual<br>Respondents | Number of<br>Responses<br>Each | Total<br>Annual<br>Responses | Average<br>Completion<br>Time (Hours) | Total Annual<br>Burden Hours* | of Annual<br>Burden<br>Hours |
|--|------------------------------------|--------------------------------|------------------------------|---------------------------------------|-------------------------------|------------------------------|
| <b>Appointment of Designated Agent</b>   |                                    |                                |                              |                                       |                               |                              |
| Individuals  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | \$ 41.86                     |
| Private Sector   | 1                                  | 1                              | 1                            | 30 mins (Recordkeeping)               | 1                             | 39.61                        |
| State/Local/Tribal Govt  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | 57.02                        |
|  |                                    |                                |                              | 30 mins (Recordkeeping)               |                               |                              |
| <b>Request for Written Take Authorization</b>  |                                    |                                |                              |                                       |                               |                              |
| Individuals  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | \$ 41.86                     |
| Private Sector   | 1                                  | 1                              | 1                            | 30 mins (Recordkeeping)               | 1                             | 39.61                        |
| State/Local/Tribal Govt  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | 57.02                        |
|  |                                    |                                |                              | 30 mins (Recordkeeping)               |                               |                              |
| <b>Request for "Shoot-on-Sight" Written Take Authorization</b>                       |                                    |                                |                              |                                       |                               |                              |
| Individuals  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | \$ 41.86                     |
| Private Sector   | 1                                  | 1                              | 1                            | 30 mins (Recordkeeping)               | 1                             | 39.61                        |
| State/Local/Tribal Govt  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | 57.02                        |
|  |                                    |                                |                              | 30 mins (Recordkeeping)               |                               |                              |
| <b>Reporting Requirement – Lethal Take</b>   |                                    |                                |                              |                                       |                               |                              |
| Individuals  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | \$ 41.86                     |
| Private Sector   | 1                                  | 1                              | 1                            | 30 mins (Recordkeeping)               | 1                             | 39.61                        |
| State/Local/Tribal Govt  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | 57.02                        |
|  |                                    |                                |                              | 30 mins (Recordkeeping)               |                               |                              |
| <b>Reporting Requirement – Opportunistic or Intentional Harassment</b>               |                                    |                                |                              |                                       |                               |                              |
| Individuals  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | \$ 41.86                     |
| Private Sector   | 1                                  | 1                              | 1                            | 30 mins (Recordkeeping)               | 1                             | 39.61                        |
| State/Local/Tribal Govt  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | 57.02                        |
|  |                                    |                                |                              | 30 mins (Recordkeeping)               |                               |                              |
| <b>Reporting Requirement – Captivity for Care or to be Euthanized</b>                |                                    |                                |                              |                                       |                               |                              |
| Individuals  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | \$ 41.86                     |
| Private Sector   | 1                                  | 1                              | 1                            | 30 mins (Recordkeeping)               | 1                             | 39.61                        |
| State/Local/Tribal Govt  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | 57.02                        |
|  |                                    |                                |                              | 30 mins (Recordkeeping)               |                               |                              |
| <b>Annual Report</b>   |                                    |                                |                              |                                       |                               |                              |
| Individuals  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | \$ 41.86                     |
| Private Sector   | 1                                  | 1                              | 1                            | 30 mins (Recordkeeping)               | 1                             | 39.61                        |
| State/Local/Tribal Govt  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | 57.02                        |
|  |                                    |                                |                              | 30 mins (Recordkeeping)               |                               |                              |
| <b>Notification – Recovery or Reporting of Dead Specimen and Specimen Collection</b> |                                    |                                |                              |                                       |                               |                              |
| Individuals  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | \$ 41.86                     |
| Private Sector   | 1                                  | 1                              | 1                            | 30 mins (Recordkeeping)               | 1                             | 39.61                        |
| State/Local/Tribal Govt  | 1                                  | 1                              | 1                            | 30 mins (Reporting)                   | 1                             | 57.02                        |
|  |                                    |                                |                              | 30 mins (Recordkeeping)               |                               |                              |
| <b>TOTALS:</b>   | <b>24</b>                          |                                | <b>24</b>                    |                                       | <b>24</b>                     | <b>\$ 1,107.92</b>           |

\*Rounded to match ROCIS

Commented [MLB2]: Re comment above, I'll update this column for you as well. Thanks – Madonna

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 **\$7,251** (rounded). We multiplied the hourly weighted salary rate (**\$69.06**) x total hours for Federal Government review (105) which results in an estimated cost to the Federal Government of **\$7,251.30**.

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 **1.61** in accordance with the BLS [News Release](#) [USDL-22-2307](#).

Commented [MLB3]: I'll update this per Q12. Thanks – Madonna

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 1.61) | Time Spent On Collection | Weighted Average |
|-----------------------------------|-------------|--------------------------------------|--------------------------|------------------|
| Clerical (GS-07/05)               | \$ 28.84    | \$ 46.43                             | 5%                       | \$ 2.32          |
| Professional/technical (GS-11/05) | 42.68       | 68.71                                | 90%                      | 61.84            |
| Management (GS-13/05)             | 60.83       | 97.94                                | 5%                       | 4.90             |
| Weighted Average (\$/hr)          |             |                                      |                          | \$ 69.06         |

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

This is a request for final approval of the new OMB control number assigned (1018-0189) in conjunction the information collections associated with our final rule (RIN 1018-BG79) as described in question 2 above.

**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.