United States General Accounting Office

GAO

Report to the Chairman, Committee on Government Reform, House of Representatives

June 2002

ENDANGERED SPECIES PROGRAM

Information on How Funds Are Allocated and What Activities Are Emphasized

G A O

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Abbreviations

ESA	Endangered Species Act
FOIA	Freedom of Information Act
FTE	Full-time-equivalent
FWS	Fish and Wildlife Service
FY	Fiscal year
GAO	General Accounting Office
HCP	Habitat Conservation Plan
NEPA	National Environmental Policy Act

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United States General Accounting Office
Washington, D.C. 20548

June 25, 2002

The Honorable Dan Burton
Chairman
Committee on Government Reform
House of Representatives

Dear Mr. Chairman:

The Congress enacted the Endangered Species Act of 1973 to help conserve plant and animal species facing extinction as well as their habitats. The act, as amended, requires the Department of the Interior[1] to identify at-risk species that may be candidates for listing and work to conserve them (candidate conservation); when warranted, list species as threatened or endangered and identify their critical habitat—habitat essential to the species' conservation—that requires special management (listing); work with groups whose proposed projects could harm the listed species to mitigate such harm (consultation); and develop and implement plans to improve the status of listed species until they no longer need protection (recovery). Interior delegated its responsibility for the Endangered Species Act to the U.S. Fish and Wildlife Service (Service), which established an endangered species program within its ecological services program to implement the requirements of the act. The Service, a decentralized agency, is organized into seven regions, each with a regional office managing a number of field offices. Some field staff divide their time between this program and other programs, such as environmental contaminants, carried out by the ecological services field offices. In fiscal year 2001, the Service received $210 million for ecological services, of which $121 million was for the endangered species program. Of the endangered species funding, recovery received $59.8 million, or almost 50 percent, of the program's funds; consultation, $42.8 million; candidate conservation, $7.1 million; listing, $6.3 million; and landowner incentives, $5 million.[2]

[1] The Department of Commerce, through its National Marine Fisheries Service, is also responsible for implementing the act for marine species. This report does not address the National Marine Fisheries Service program.

[2] In fiscal years 1999 through 2001, the endangered species program provided financial assistance and other incentives to landowners for conservation activities associated with listed and at-risk species.

For many years, environmental groups, landowners, federal agencies, and developers have voiced concerns about how the Service has implemented the endangered species program. Specific areas of concern include the pace of recovery; the Service's performance in meeting certain of the act's requirements—for example, reviewing petitions for listing species within 90 days of their receipt; and the Service's interpretation of certain aspects of the act related to critical habitat designation. These concerns have increasingly led to litigation and court orders that, according to Service officials, have influenced how the Service does its work. The Congress also has had concerns about the program and has not reauthorized or amended the act since 1988,[3] even though more than 50 reauthorizing or amending bills have been introduced since 1995.

Given these concerns and your oversight responsibility, you asked us to review several aspects of the Service's implementation of the endangered species program. Accordingly, this report provides information on (1) how the Service budgets and allocates its endangered species program funds and (2) how field office staff spent their time in the endangered species program in fiscal year 2001. In addition, in performing our work, we identified certain factors that affected the implementation of the endangered species program. Our report highlights the nature and extent of those factors as well.

To collect information on program activities in the field, we asked all seven regional offices about their funding allocation methods and workload. To obtain more detail on field office activities, we conducted two surveys: (1) a survey of supervisors at the 60 field offices that implement the endangered species program (100 percent response) and (2) a survey of the 767 scientific and technical staff (hereafter referred to as field staff) who worked in the field on the program in fiscal year 2001 (83 percent response). Our survey results are in appendixes I and II, and highlights of selected national and regional information are in appendix III. We discussed our survey results with regional and headquarters officials to obtain their views on the factors that drove their workload and actions they are taking to improve program implementation. More detailed information on our scope and methodology is contained in appendix IV.

[3] The Endangered Species Act's authorization of appropriations expired on October 1, 1992. The prohibitions and requirements of the act have remained in force and funds have been appropriated to implement the act in each subsequent fiscal year.

Finally, during the course of our work, we became aware of several legal services contracts awarded in a few field offices that were funded through the endangered species program. We questioned whether the field offices had the authority to enter into the contracts and whether the use of these program funds was proper. Interior's Solicitor advised us that the Service did not have the required authority to enter into these legal services contracts, but did not address whether the funds could be used to pay for legal services. We have concluded that since the Office of the Solicitor receives a specific appropriation for employing attorneys and doing legal work, use of endangered species program funds for legal services contracts was improper. The results of our work on this issue will be conveyed to you through separate correspondence.

We conducted our review from April 2001 through March 2002 in accordance with generally accepted government auditing standards.

Results in Brief

The Service budgets and separately allocates its endangered species program funds by distinct subcategories corresponding to the program areas of recovery, consultation, candidate conservation, listing, and landowner incentives (for fiscal years 1999-2001 only). The Service maintains these allocations by program area as it distributes funds from headquarters to its regional offices and again as the regional offices distribute funds to their field offices. The Service allocates funds to its regional offices in two phases. For each program area, the Service first distributes monies that were congressionally targeted for specific endangered species projects and any other region-specific funds (e.g., cost of living increases). It then distributes the remaining regional office funding using program-specific formulas that are largely based on the number of at-risk and listed species that are found in each region and their habitat. The regional offices then further distribute funds to their field offices, again maintaining the distinct program area budgets, on the basis of the number of the staff in each field office and the size of the office's workload.

Our survey results showed that in fiscal year 2001, of the total time field staff spent on specific endangered species program activities, consultation accounted for 42 percent and recovery accounted for 28 percent. The remaining 30 percent was spent on candidate conservation, landowner incentives, and listing. These percentages do not reflect the time field staff

spent on general endangered species program activities.[4] Field staff reported spending the majority of their consultation time working with federal agencies on projects for which the Service had to meet statutory requirements and time frames. In these cases, the staff could exercise little discretion over when they needed to respond to requests for consultations and how many requests they received. While recovery is the endangered species program's ultimate mission and received almost 50 percent of the funds, this priority did not translate to a proportionate amount of time spent on recovery largely because of the requirements and deadlines field staff faced in other program areas. This disproportionate relationship could also have occurred because the Service allocated some of its recovery funding through grants and contracts to outside partners for such activities as monitoring the status of a listed species. In the areas of candidate conservation and landowner incentives, staff reported spending 13 percent and 6 percent of their time, respectively. Finally, staff reported spending 10 percent of their time on listing activities, including designation of critical habitat. These latter activities were in response to court orders and legal settlements, many of which criticized the Service for not designating critical habitat for many years when listing species. However, according to officials in the regions and in Interior's Office of the Solicitor, staff now lack sufficient guidance from headquarters on critical habitat designation. The officials stated that without this guidance, the Service is still vulnerable to litigation because staff do not have a consistent process for determining critical habitat. Accordingly, we are recommending that the Service expedite its efforts to develop guidance on designating critical habitat to reduce the number of legal challenges to the Service's critical habitat designations and to be better able to defend those that are brought. In commenting on a draft of this report, the Department agreed with our recommendation but stated that completion of the guidance has been delayed by higher priority activities (including those required by courts). It highlighted several intermediate steps the Service has taken to ensure a more consistent approach to critical habitat designation.

Our surveys of field office supervisors and their staff highlighted other factors that can affect program implementation. Field office staff reported that a lack of resources and a heavy workload adversely affected their

[4] The "general endangered species program activities" category included such things as supervision, training, and administrative tasks that did not contribute directly to work on one of the program areas. Field staff estimated that they spent 22 percent of their time on general endangered species activities. This time was not included when calculating the percentage of time spent on each of the five program areas.

offices' ability to carry out their endangered species program work. For example, 73 percent of field office supervisors responded that a lack of staff adversely affected their ability to carry out their program responsibilities. Yet despite staff's perception of this lack of resources and heavy workload, staff were generally satisfied with the work conditions in their office. Factors such as being able to travel, attend training courses, and obtain access to other staff for knowledge sharing had a positive effect on program implementation. Finally, our surveys indicated that time charges reported by program area sometimes may not have reflected work actually being performed by staff, in part because time was charged to one program area for work performed in another. Our survey did not measure how often or to what extent these incorrect charges were made. An incorrect record of time charges could affect program implementation to the extent that the Service and the Congress rely on this information to make informed decisions about future program operations and resource needs. Because program funds are used chiefly to pay staff salaries, tracking actual time spent in each program area is essential to the Service's development of accurate data on how program funds are being used and whether appropriated funds are being spent in accordance with congressional direction provided in the appropriations committee conference reports. Consequently, we are recommending that the Service review the processes used in the field offices to record time charges to determine whether they correctly reflect how staff spend their time among the different program areas. In commenting on our draft report, the Department generally agreed with this recommendation and said it plans to review the processes used to record time charges in conjunction with the Department's efforts to implement a new activity-based accounting system.

Background

The Congress enacted the Endangered Species Act of 1973 to prevent the extinction of threatened or endangered plant and animal species. The act defines a threatened species as one that is likely to become endangered in the foreseeable future; and an endangered species as one that faces extinction throughout all or a significant portion of its range. Under the act, the Secretary of the Interior is to determine whether any species is threatened or endangered as a result of such factors as the present or threatened destruction, modification, or curtailment of its habitat or range;

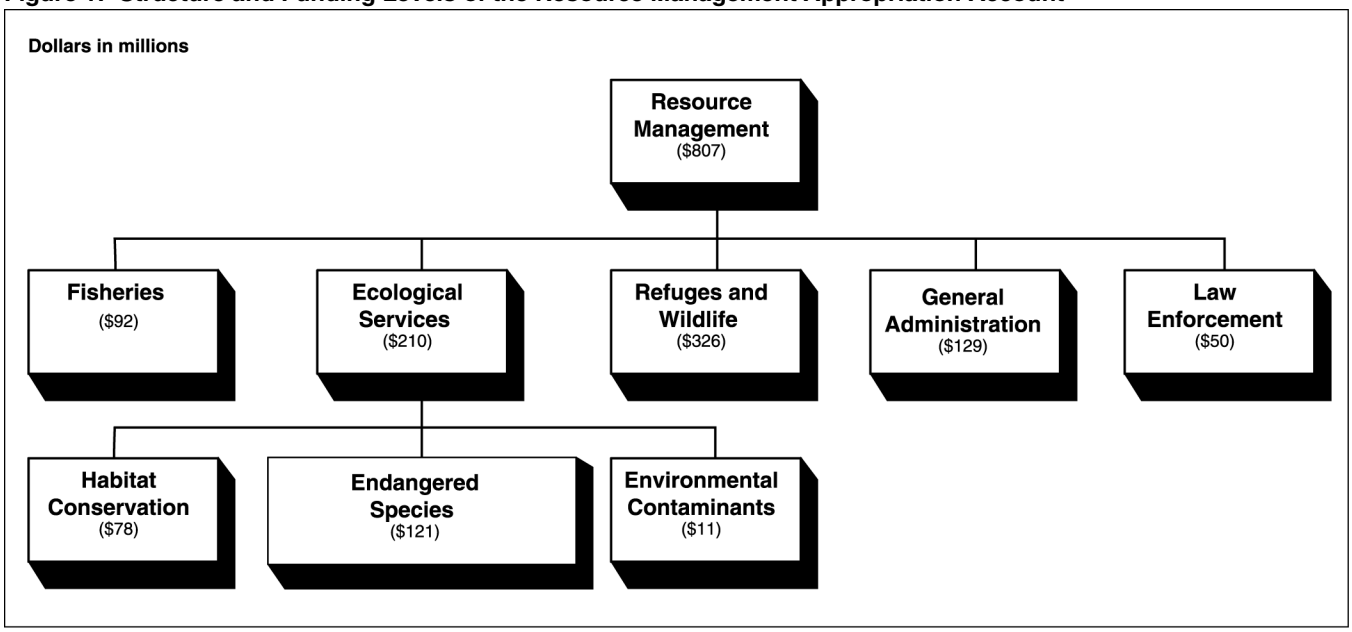
overuse for commercial, recreational, scientific, or educational purposes; or disease or predation. The act also prohibits the "taking" of a listed species.[5]

During the 29 years since the Endangered Species Act was enacted, the Fish and Wildlife Service has listed more than 1,200 species in the United States as threatened or endangered. Of these, 32 have since been delisted, 13 as a result of recovery efforts. The other 19 were removed from the threatened or endangered species list because they became extinct (7) or were no longer deemed to be at risk because further scientific analysis found evidence of other information that made listing unnecessary (12). In addition, as of September 30, 2001, the Service was in the process of listing 35 more species and had identified 236 candidate species—species that qualify for listing but for which the listing process has not yet begun because of resource limitations or higher priorities for other species.

In fiscal year 2001, Congress appropriated $1.26 billion for the Fish and Wildlife Service. Of this amount, $121 million was directed to the endangered species program, which is one of three subactivities within the ecological services activity of the resource management appropriation (see fig. 1). In addition, the Service received additional funds from other federal agencies through reimbursable agreements. For example, the Service receives funds from Interior's Bureau of Land Management and the Department of Agriculture's U.S. Forest Service to conduct consultations on fire programs.

[5] The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or to attempt to engage in any such conduct.

Figure 1: Structure and Funding Levels of the Resource Management Appropriation Account



Source: U.S. Fish and Wildlife Service.

For fiscal year 2001, the Service's $121 million for the endangered species program was divided into five separate budgets that corresponded with the program areas, as shown in table 1.

Table 1: Endangered Species Program Areas, Descriptions, and Funding Levels, Fiscal Year 2001

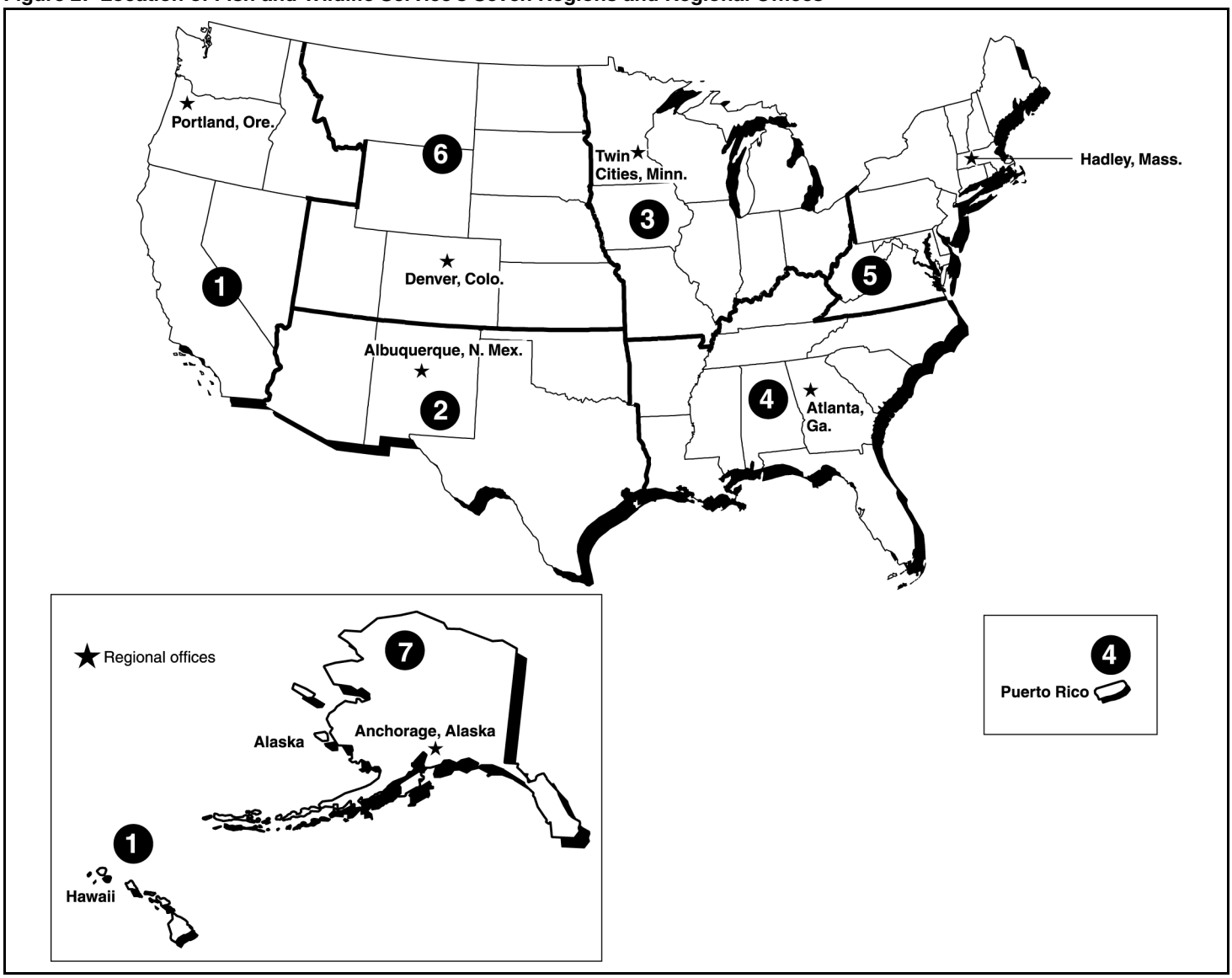
Program Area	Description	Funding
Recovery	Work with partners to develop and implement recovery plans, implement specific recovery actions, and reclassify or delist species as appropriate.	$59,835,000
Consultation	Meet the act's section 7 mandate for consultations with federal agencies whose proposed action may adversely affect a listed species and the section 10 mandate for habitat conservation plans and incidental take permits for non-federal groups whose action could result in the taking of a listed species. Take must be incidental to, not the purpose of, carrying out an otherwise lawful activity.	42,750,000
Candidate conservation	Assess species for candidate status, work with partners to plan candidate conservation agreements, and implement and monitor actions to conserve candidate species.	7,052,000
Listing	Process public petitions, rank candidate species for proposed species status, and prepare proposed and final rules for listing activities, including designation of critical habitat.	6,341,000
Landowner incentives[a]	Provide financial assistance and incentives for landowners to implement management actions on their lands to benefit listed and nonlisted species, such as actions under candidate conservation agreements.	4,969,000

[a] In fiscal year 2002, the landowner incentives program was discontinued as a separate program area within the endangered species program.

Source: GAO analysis of U.S Fish and Wildlife Service information.

The Service administers the endangered species program through its headquarters office, seven regional offices, and 60 of its 78 ecological services field offices throughout the country that carry out endangered species program activities. Figure 2 shows the seven regions and the locations of the regional offices; appendix IV lists the 60 field offices we surveyed.

Figure 2: Location of Fish and Wildlife Service's Seven Regions and Regional Offices



Source: GAO's representation of information provided by the U.S. Fish and Wildlife Service.

Headquarters officials set overall priorities for the endangered species program, develop policy and guidance, and allocate funding to the regions. Regional office staff perform similar functions for their field offices. Regional directors make most decisions on how to spend endangered species funds within each program area. However, the Service director

decides whether to list a species as threatened or endangered and whether to issue regulations (e.g., formal guidance on requirements for habitat conservation planning). The regional offices are responsible for managing their field offices' program activities. They assess office operations, prepare and implement work plans, hold meetings to communicate work priorities to field offices throughout the year, and track field office activities through frequent telephone conversations and/or the creation and maintenance of regional databases to supplement national tracking systems.

The field offices are responsible for implementing the program and setting priorities for projects they will undertake. For example, field staff develop partnerships and agreements with landowners for conservation activities, consult with federal agencies on proposed actions that may affect a listed species, and develop and implement recovery plans for listed species. In addition, other programs within the Service (e.g., fisheries, refuges, and wildlife programs) and state, federal, and private sector partners carry out activities that contribute to the Service's ultimate mission of species recovery.

Endangered Species Program Funds Are Tied to Specific Program Areas at Each Organizational Level

Funding for the endangered species program is tied directly to the major program areas (recovery, consultation, candidate conservation, listing, and landowner incentives—for fiscal years 1999-2001 only) and kept segregated by these program areas at each organizational level. The Service allocates funds to its regional offices in two phases. For each program area, the Service first distributes monies that were congressionally targeted for specific endangered species projects and any other region-specific funds (e.g., cost of living increases). The Service then allocates the remaining amount to the regional offices using program-specific formulas that take into consideration the number of candidate and listed species found within each region and their habitats. The regional offices maintain these separate budgets when allocating funds to the field offices on the basis of staff and workload considerations.

Service Headquarters Budgets and Allocates Its Endangered Species Program Funds by Program Area

Congress provides funding for the endangered species program through the resource management appropriations account. The appropriations committee conference report provides direction for funding in the separate program areas. The Service maintains these distinct program area budgets as it allocates funds to the regional office, doing so in two steps. First, each

regional office receives funds for congressional directives—specific amounts for projects or other entities outlined in appropriations committee conference reports. For example, for recovery in fiscal year 2001, the conference report designated $5 million in matching grants for Pacific salmon conservation and restoration in Washington State and more than $2 million for recovery for specific listed species, including the gray wolf, Lahontan cutthroat trout, and black capped vireo. In addition, each region receives funds for specific purposes such as cost of living increases and "capability funding"—a set amount of funding that supports one to two staff per program area to ensure that the regional office can maintain expertise in each of the program areas.

Second, the Service allocates the remaining funds for each program area to the regional offices according to specific formulas generally based on the number and complexity of candidate, proposed, and listed species found in the region or for which the regional office has lead responsibility. These formulas reflect the fact that not all species require the same level of funding or effort in order to achieve their conservation and recovery. The formulas are based on weighting factors that are assigned to species by assessing the species type (animal or plant) and its range and habitat type (e.g., migratory, aquatic, endemic). As table 2 shows, the regions vary in the number of species for which they have lead responsibility.

Table 2: Number of Candidate, Proposed, and Listed Species for which Each Region Has Lead Responsibility, as of September 30, 2001

Region	Candidate	Proposed	Listed-threatened	Listed-endangered
1	149	27	102	535
2	24	2	30	100
3	2	1	16	21
4	39	3	82	243
5	3	-	15	26
6	18	2	23	30
7	1	-	2	3
Total	**236**	**35**	**270**	**958**

Source: U.S. Fish and Wildlife Service.

To some extent, the Service also considers the program area's characteristics when it allocates funds to the regional offices. For example,

in the consultation program area, the Service follows two methodologies when allocating funds: (1) funds for consultations with federal agencies and habitat conservation planning with nonfederal groups are allocated according to the weighted number of candidate, proposed, and listed species found in each region, and (2) a set amount every year ($2 million in fiscal year 2001) is allocated across regional offices for implementing and monitoring habitat conservation plans based on specific formulas that take into account such factors as the size of the planning area and the number of participating partners.

In contrast, when allocating funds for listing, the Service considers a priority list of different types of anticipated listing actions that is approved by the director of the Service. At the top of the priority list are actions required by court orders and settlement agreements, and emergency listings. Other listing actions, such as preparing final rules for listing species and responding to petitions to list species are of lower priority. In fiscal year 2001, the Service could only fund listing actions responding to specific court orders and settlement agreements. To allocate these funds, Service headquarters officials estimated the average cost of listing actions in each region and allocated a specified amount for each field office responsible for carrying out the required actions. In its fiscal year 2002 budget justification, the Service stated that the listing program will continue to be driven by litigation, largely over missed deadlines and the Service's "not prudent" determinations for designation of critical habitat for listed species.[6] Table 3 presents the endangered species program allocations to each region by program area for fiscal year 2001.

[6] The act requires the Service to designate critical habitat at the time of listing or within 12 months if more data about habitat are needed. The Service designates critical habitat when doing so is judged to be "prudent and determinable" and generally declines to designate habitat when doing so provides little or no additional conservation benefits for the species.

Table 3: Endangered Species Program Allocations to Headquarters and Regions by Program Area, Fiscal Year 2001

	Recovery	Consultation	Candidate conservation	Listing	Landowner incentives	Headquarters/ regional total
Headquarters	$2,718,266	$2,000,237	$395,248	$1,413,973	$108,982	$6,636,706
Region 1	29,865,578	20,496,430	3,091,729	3,346,805	756,262	57,556,804
Region 2	5,429,633	5,401,861	882,237	429,335	1,109,597	13,252,663
Region 3	1,933,141	1,307,650	292,528	141,469	559,867	4,234,655
Region 4	10,834,350	7,822,681	880,924	279,718	931,877	20,749,550
Region 5	2,164,114	1,751,378	268,820	137,210	505,291	4,826,813
Region 6	4,520,581	2,476,614	749,349	379,956	624,850	8,751,350
Region 7	992,854	334,596	265,416	212,553	317,368	2,122,787
Total	**$58,458,517**	**$41,591,447**	**$6,826,251**	**$6,341,019**	**$4,914,094**	**$118,131,328**[a]

[a]Amounts do not include $2,816,000 for costs covered by the cost allocation methodology (CAM), which is endangered species funding used to support the general operating costs of the Service.

Source: U.S. Fish and Wildlife Service budget documents.

Regional Officials Reported Maintaining the Integrity of Program Area Budgets when Allocating Funds to Field Offices

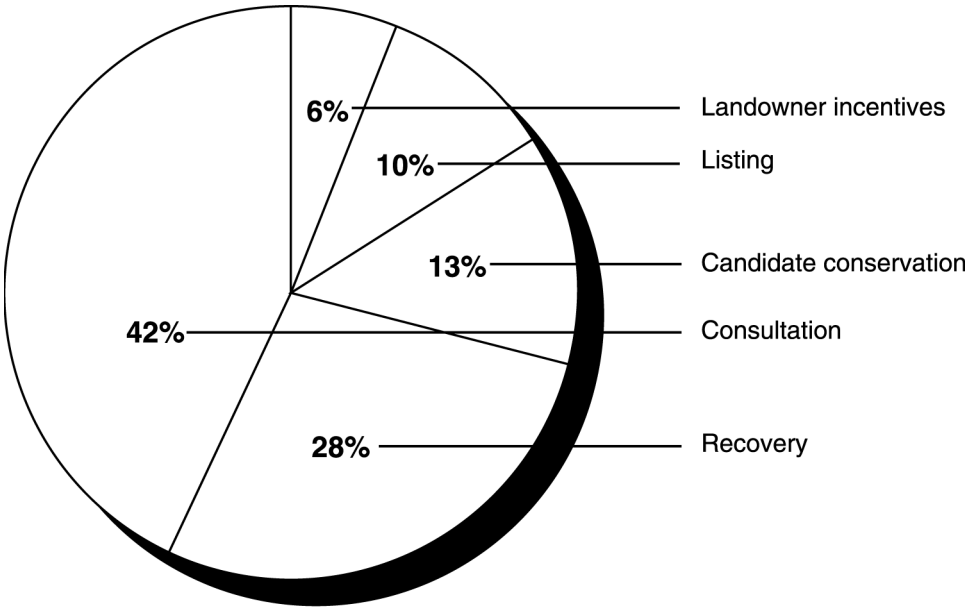
According to Service officials, regional offices have the authority to distribute program funds to the field offices, except for listing funds, which are controlled by Service headquarters. Regional officials told us that they maintain the integrity of the program area budgets when allocating funds to the field offices. In allocating each program area budget, they retain only enough funds to cover their fixed costs (e.g., salaries, travel, uniforms) and program administration and implementation costs, such as those associated with contracts let and projects led by the regional office. Regional offices' methods for allocating funds vary by region and by program area but are all based on staffing levels; previous years' funding levels; and past or anticipated activities, such as the number of consultations completed or the number of recovery plans in need of completion. For example, Region 2 officials told us that they increased consultation funding to one field office because of an historic and continuing heavy consultation workload and funded additional positions in another field office because of the need to consult on over 7,000 grazing allotments and large water projects involving the San Juan, Rio Grande, and Colorado Rivers. In contrast, Region 6 officials allocated recovery funds primarily to those field offices working on large recovery programs dealing with the Rocky Mountain wolf, the grizzly bear, and the Platte River and Colorado River basin projects, among others.

Field Staff Reported Spending More Time on Consultation than on Other Program Areas

This section describes, for each program area, the relative amount of time field staff reported spending on the major activities, the types and numbers of activities, and the factors that influenced the workload.[7] Our survey results indicated that consultation, which received less funding than recovery, accounted for more staff time (42 percent) than recovery (28 percent) (see fig. 3). These percentages do not reflect the time field staff spent on general endangered species program activities (see footnote 4). Staff reported spending more time on consultation largely because they had to meet statutory requirements and mandatory time frames associated with these activities. Staff spent 10 percent of their time on the listing program area, including adding new species to the threatened or endangered species list and designating critical habitat. For these activities, responding to litigation primarily drove the workload. Regional officials cited the need for more guidance on designating critical habitat in order to reduce the number of legal challenges to the Service's critical habitat designations, better defend those that are brought, and spend more time on other listing activities.

[7] Fifty-eight percent of field staff reported working full-time on the endangered species program; all others reported spending only a portion of their time on these activities. We factored in the amount of time each individual reported spending on the endangered species program when calculating the total percentage of time staff devoted to each program area. Time spent on other activities outside of the program was not included in the calculations.

Figure 3: Percentage of Time Field Staff Reported Spending on the Endangered Species Program Areas, Fiscal Year 2001



The Consultation Program Area Accounted for the Largest Amount of Field Staff Time

The consultation program area comprises two main activities under the Endangered Species Act—section 7 consultations with federal agencies[8] and section 10 habitat conservation planning activities with landowners.[9] Both section 7 consultations and section 10 habitat conservation planning are initiated by applicants whose actions may affect a listed species. In the case of formal section 7 consultations, the Service must respond within statutory and regulatory time limits. The act establishes a time frame of 90 days to complete a formal consultation, unless the Service and the applicant mutually agree to an extension. Regulations require the Service to deliver a biological opinion within 45 days of the conclusion of formal consultation. Similarly, in the case of habitat conservation planning, the Service has limited control over the number of applicants requesting assistance or the amount of technical assistance needed. While there are no statutory time frames associated with section 10, all applicants expect timely attention.

[8] Section 7 requires federal agencies to consult with the Service to determine whether a proposed action that is federally authorized, funded, or carried out is likely to jeopardize the continued existence of any threatened or endangered species. The Service conducts informal and formal consultations. Informal consultations may include discussions of whether a listed species inhabits the area proposed for action and what effect the action may have on the species. The Service conducts formal consultations when a federal agency determines that its actions may affect a listed species or its critical habitat and submits a written request to initiate formal consultation. Based on these consultations, field staff write a biological opinion analyzing whether the proposed action is likely to jeopardize a listed species or adversely affect its critical habitat. If a jeopardy or adverse modification determination is made, the staff will propose alternatives to the proposed action. The federal agency then decides whether it can comply with these alternatives. If it cannot, it may abandon the project, revise and resubmit a new proposed action, or seek an exemption through administrative processes.

[9] Section 10 requires landowners who are engaged in nonfederal activities that are likely to cause the incidental taking (i.e., harm to a species or its critical habitat that is incidental to, not the purpose of, an otherwise lawful act) of a listed species to develop a habitat conservation plan (HCP) and obtain a permit allowing for incidental take. An HCP specifies, among other things, what measures the landowner will take to minimize and mitigate the impacts on listed species. The field offices assist applicants in preparing the HCP and coordinate with the appropriate regional office in issuing the incidental take permit.

For fiscal year 2001, field staff reported spending 42 percent of their total time devoted to the endangered species program on the consultation program area. Staff spent about 80 percent of this time working with federal agencies on section 7 consultations, which included over 46,000 informal and more than 1,000 formal consultations. They spent the other 20 percent of their time on habitat conservation planning, which included working on more than 300 habitat conservation plans (HCPs) and approving over 100 incidental take permits.[10] HCPs vary by the type of applicant, the activities addressed, and the number of listed species involved—from a single landowner to a state government, from half-acre lots to many acres, from forestry and agricultural activities to beach development, and from a single species to dozens of species.

Regions 1 and 2 accounted for more than 74 percent of the formal consultations and more than 92 percent of habitat conservation plans approved for incidental take permits, the majority of which involved applicants who were individual landowners. Region 1 has seen a large increase in section 7 consultations over the past 5 years as a result of (1) litigation that required other federal agencies to consult with the Service, and (2) an increase in interagency agreements, such as the Forest Service's National Fire Plan and the Department of Defense's Integrated Natural Resource Management Plans. Officials in Region 2 stated that in the past several years, federal agencies that historically have not consulted with them on certain activities have now entered into formal consultations on these activities because of litigation. They added that some consultations on major river system projects (e.g., the Colorado and Rio Grande river systems) have consumed large amounts of staff time because of the projects' size, complexity, and potential impact. Other regional variations are shown in appendix III.

Over 50 percent of the field staff who carried out activities in the consultation program area were concerned that they were not spending enough time on (1) conducting fieldwork in order to determine whether formal consultations were needed and (2) monitoring agency compliance with the terms and conditions of biological opinions associated with these consultations. Field staff reported spending only 2 percent of their consultation time on fieldwork and only 2 percent on monitoring. Regional

[10] Reported actions may not be mutually exclusive among the field offices. In some cases (e.g., HCPs, recovery plans) multiple offices contributed to the action being reported and therefore more than one office may have reported that action.

and headquarters officials recognized the importance of monitoring the terms and conditions of the biological opinions to ensure that the agreements reached during consultation are being carried out. These officials noted, however, that other, more pressing consultation work often takes precedence over conducting fieldwork and monitoring activities.

Officials in all but one region agreed that consultation has taken staff time away from recovery efforts. However, officials in several regions stated that some consultation and recovery activities can be closely connected because some recovery tasks are imbedded in consultation actions and in broadly scoped habitat conservation plans that have a recovery focus. Additionally, once a species is listed, the Service's subsequent actions are directed to its ultimate goal of recovery, and biologists work towards this goal in all they do, according to regional officials. Region 6 officials were concerned that the amount of time their field staff reported spending on consultation might have been overstated because several biologists who work solely on three recovery programs in their region were not included in our survey. They suggested that if these biologists' time had been included, the region's results would have shown a larger percentage of time spent on recovery and therefore less on consultation. (We did not include these biologists in our survey because they were not working in field offices originally identified by the region as responsible for implementing the endangered species program.)

Regional efforts to better address the increased consultation workload include the development of a regional database that tracks consultations and efforts to encourage more proactive land management practices that avoid the taking of species and therefore minimize the need for formal consultations and habitat conservation plans.

Recovery Activities Were Constrained by Other Program Area Priorities

Section 4 of the Endangered Species Act requires the Service to develop and implement recovery plans for listed species. Recovery plans identify the strategies and conservation actions for recovering listed species, as well as the population level and the habitat condition needed to restore the species to a viable self-sustaining state. At that point, the Service can delist the species. While the act does not specify certain actions or time frames to develop and implement a recovery plan, the Service's policy is to complete the development of a plan within 2-½ years of the species' listing date. Field staff work with staff from other Service programs, such as refuges and fisheries, and many public and private partners, including federal, state,

tribal, and local agencies and conservation organizations to develop and implement recovery plans.

Of the time they devoted to the endangered species program, field staff reported spending 28 percent of their time on the recovery program area. Staff spent about 34 percent of their recovery time on developing recovery plans; 62 percent on implementing, either themselves or through partners, tasks included in final recovery plans; and 4 percent of their time on delisting activities. Field office staff reported that they worked on developing more than 100 recovery plans in fiscal year 2001 and implementing over 800 (see footnote 10). Twenty percent of the field office supervisors reported their offices worked towards the delisting of 21 species. During fiscal year 2001, the Aleutian Canada goose was officially delisted. According to Service officials, because recovery activities do not have strict statutory requirements or time frames, staff who would normally focus on recovery efforts are frequently pulled from recovery planning and implementation to work on higher priority work, such as section 7 consultations and responses to litigation.

More than 54 percent of the field staff who carried out recovery efforts were concerned that they could not spend enough time on activities more directly associated with recovery, such as implementing specific tasks included in recovery plans or monitoring the status of species. Regional officials attributed this lack of direct involvement to the changing role of field office staff in the recovery program area. Officials said that previously field staff conducted "on the ground" fieldwork and now they largely administer contracts and coordinate cooperative agreements with outside parties that implement recovery efforts, such as monitoring the status of listed species. In fiscal year 2001, the Service used 13 percent of its recovery funds as grants and an additional amount, varying by region, to obtain services from third parties. In addition, Service officials noted that they use recovery funds to provide technical assistance to states as part of an intergovernmental effort to conserve species required by section 6 of the Endangered Species Act. Section 6 grants provide federal aid for states to develop programs to conserve, monitor, and recover threatened and endangered species. According to Service officials, these programs contribute to species recovery and therefore costs associated with the technical assistance provided by field office staff are an appropriate use of recovery funds but leave less money available for more direct recovery activities to be carried out by Service staff.

Regional officials were aware that staff are not able to spend as much time on all aspects of recovery activities as they would like, and officials cited a number of actions they are taking to improve their recovery efforts: developing multi-species recovery plans, involving state and federal agencies in recovery activities, setting priorities for specific recovery projects for field offices, and requiring annual reports on field office accomplishments. Additionally, the Service recently established a working group to target select aspects of the recovery program for improvement. For example, the group is revising recovery guidance to help improve the efficiency and effectiveness of recovery planning—including assessing the optimum number of stakeholders who should be involved in developing recovery plans and increasing training on negotiation and communication skills for recovery biologists. They are also planning a national workshop for recovery staff at which they can share information, discuss best practices, and disseminate new or updated guidance.

Staff Focused Candidate Conservation Efforts on Developing Agreements but Spent Little Time Monitoring and Evaluating Them

Candidate conservation activities are intended to protect at-risk species and make their listing unnecessary. Each year, the Service reviews the status of at-risk species, including assessing the magnitude and immediacy of threats they face and decides if any species warrants listing. If listing is warranted but higher priority tasks take precedence, then the species will be placed on the candidate list. Staff also carry out conservation activities for at-risk or candidate species. They identify landowners with these species on their property and work with them to conserve habitat through such means as candidate conservation agreements. These voluntary agreements between the Service and one or more private or public landowners (e.g., states, territories, federal agencies), establish measures to stabilize and conserve species and specify how these measures will be implemented and monitored. The Service views these early conservation actions as critical for several reasons: more conservation options may still be available for at-risk species; early conservation efforts are more likely to be successful; potential land use conflicts that may be caused by listing may be avoided; and flexibility for landowners can be maintained.

For fiscal year 2001, field staff reported spending 13 percent of their total time devoted to the endangered species program on candidate conservation activities. Of this amount, they spent 26 percent of their time assessing candidates for listing, 68 percent on conservation activities, and 5 percent monitoring and assessing the effectiveness of these activities. Field staff reported developing 89 candidate conservation and other agreements with landowners and helping to implement 45 agreements (see footnote

10). However, one field office supervisor noted that while his staff enter into many conservation agreements with other partners, the field office receives little or no money to help implement conservation measures contained in the agreements and instead must rely on others to carry out these habitat improvements.

Over 45 percent of staff carrying out candidate conservation activities expressed concern about the limited amount of time they could spend on these activities, including the monitoring of candidate conservation agreements. Additionally, 57 percent of the field office supervisors—at least one in each region—reported that their offices identified species that could be candidates for listing but have not yet been listed because of resource limitations or higher priorities, such as responding to litigation and court orders.

Litigation Drove Listing Workload

Section 4 of the Endangered Species Act requires the Service to list any species that is at risk of extinction. Listing a species is the first step in protecting it from extinction. Both the candidate assessment process described in the previous section and a public petition process, which allows any interested person to petition to add a species to the list, may result in the Service proposing a species for listing. Within 90 days of receiving a petition to list a species, the Service must determine whether the petition presents substantial scientific or commercial information to indicate that listing may be warranted. If the Service determines the petition presents such information, it reviews the species' status and must determine whether the petitioned action is warranted. It must make this determination within 12 months of receiving the petition. If the petitioned action is warranted, the Service will then publish a proposed rule for comment in the *Federal Register*. Within a year of publishing the rule for comment, the Service must issue a final rule to implement the listing action or withdraw the proposed rule if the available evidence does not justify the listing action. If the listing is warranted but other listing actions take priority, such as an emergency listing for a species on the verge of extinction, the species is placed on the candidate list for future action. The Service must review candidate listings annually until it puts the species on the threatened or endangered list or determines that the action is no longer warranted.

Section 4 of the act also requires the Service to designate critical habitat "to the maximum extent prudent" at the time it lists a species unless the designation of critical habitat would not provide any further benefit to the

listed species or insufficient data exist on which to base the designation. In the case of insufficient data, the Service has an additional 12 months to gather data and make the designation.

Since fiscal year 1998, appropriations language has restricted the amount of program funds that could be used for listing activities, including adding new species to the threatened or endangered list and designating critical habitat. For fiscal year 2001, the listing cap was $6.3 million. The listing cap keeps other program area funds from being reprogrammed to address the significant backlog of listing activities that have resulted from litigation, court orders, and settlement agreements. The Service has been sued primarily because it has missed statutory listing deadlines and because litigants have challenged the Service's decisions that it was "not prudent" to designate critical habitat for many listed species because doing so provided little or no additional conservation benefits to the species. According to the Service, it has a substantial backlog of (1) listing petitions that it has not had sufficient funds to review and complete and (2) critical habitat designations that are now required because the court has held that past "not prudent" determinations were invalid.

For fiscal year 2001, field staff reported spending 10 percent of their total time devoted to the endangered species program on listing activities, with 51 percent of this time on adding new species to the threatened or endangered species list and 49 percent spent on designating critical habitats. In addition, 27 percent of field office supervisors reported that their offices worked toward the listing of more than 40 species in fiscal year 2001. According to the Service, it completed proposals for 14 listings during this period. Sixty-five percent of field office supervisors reported that their offices worked on 429 actions that contributed to the designation of critical habitat for one or more species (see footnote 10) and finalized critical habitat designations for 21 species in fiscal year 2001. According to Service officials, all of these activities resulted from litigation, court orders, or settlement agreements. Officials in Region 1 stated that the amount of litigation challenging the merits of the Service's listing and critical habitat decisions has been increasing over the last 5 years and created a backlog of court-ordered "rework" of previous decisions or actions. For example, federal courts have recently ruled that the Service's past decisions not to designate critical habitat for listed species because it was "not prudent" were inconsistent with the intent of the act. These rulings resulted in court orders requiring the Service to designate critical habitat for many listed species. Officials from Interior's Office of the Solicitor and Service regional officials told us that field staff now need more guidance from headquarters

to help them deal with critical habitat designation issues in a more consistent manner and help avoid future litigation and rework.

The Service has stated that because listing activities have been driven by court orders and settlements, staff have been unable to focus on listing species at the greatest risk of extinction or to undertake a more balanced listing program. A balanced program would respond to new listing petitions, add new species to the threatened or endangered species list, and designate critical habitat. The Service is currently revising its listing priority guidance to better balance the listing program and eventually reduce the backlog and plans to have the guidance finalized by the fall of 2002. In addition, in June 1999, the Service published a notice in the *Federal Register* soliciting comments on its intention to develop guidance to clarify the role of critical habitat in conserving endangered species. This notice acknowledged the need for a more efficient and cost-effective process for designating critical habitat because responding to critical habitat litigation had significantly delayed other Service listing activities (e.g., responding to listing petitions, proposing new listings for imperiled species). However, after 3 years, critical habitat guidance has still not been issued. According to the Service, work on critical habitat guidance has been delayed pending Service efforts to finalize the listing priority guidance.

Landowner Incentives Focused on Financial Assistance and Incentives to Private Landowners

In fiscal years 1999 through 2001, the landowner incentives program provided financial assistance and other incentives to private landowners working with the Service to conduct endangered species conservation activities on their property. For example, through a competitive selection process, landowners were eligible to receive funding for fencing, planting, or other habitat restoration activities on their land. Private landowners who undertook voluntary conservation measures under certain agreements with the Service (e.g., Safe Harbor Agreements) were assured that these actions would not lead to additional restrictions under the endangered species program in the future if the species were subsequently listed as threatened or endangered. In fiscal year 2002, the landowner incentives program was discontinued.

Field staff reported spending 6 percent of their total time devoted to the endangered species program on landowner incentive activities in fiscal year 2001. Of this total, staff spent 33 percent of their time coordinating with landowners, 46 percent developing and administering landowner agreements, and 21 percent monitoring the agreements. Field office staff reported developing 107 agreements funded by the landowner incentive

program and also implementing 137 agreements under the program (see footnote 10).

One field office supervisor described some of the activities associated with this program area that created a significant workload for his staff. These activities included sending letters of request for landowner participation, reviewing and ranking proposals for financial assistance, supporting regional office staff making award decisions, and monitoring results. One regional official told us that field staff workload was increased by the need to provide technical assistance to many landowners who knew very little about conservation. A Service official acknowledged that the cost to implement the landowner incentives program was partially borne by the candidate conservation and recovery programs. He added that the Service did not more fully fund this program area to cover technical support because this incentive program contributed to the overall mission of species recovery.

Survey Results Highlighted Other Factors That Had an Impact on Program Implementation

Our surveys of field office supervisors and their staff highlighted factors that affected the implementation of the endangered species program. First, staff reported that a lack of resources and a heavy workload made it more difficult for staff to carry out their responsibilities. Second, staffs' overall satisfaction with the working conditions in their offices helped to counterbalance resource constraints. Finally, our surveys indicated that time charges reported by program area may not have reflected the work actually being done (e.g., consultation work being charged to the recovery program). Incorrect time charges could affect the Service's ability to make informed decisions about future program operations and resource needs. Our survey did not measure how often or to what extent incorrect time charges occurred.

Lack of Resources and Heavy Workload Adversely Affected Field Offices' Ability to Effectively Carry Out Their Work

Field office supervisors in all regions reported that a lack of funds and shortage of staff adversely affected their offices' ability to conduct activities for the endangered species program in fiscal year 2001. Seventy-three percent of field supervisors responded that a lack of funds and a shortage of staff affected their ability to carry out endangered species activities to a great or very great extent. Additionally, officials in all the regional offices reported that at least two of the five program areas required more funds than headquarters allocated. Moreover, officials in four of the regional offices reported that all the program areas were

inadequately funded. The consultation program area, more specifically, section 7 consultations with federal agencies, was mentioned most frequently as insufficiently funded.

Our surveys also indicated that the program's heavy workload impeded program implementation. Seventy-one percent of field office staff reported that a heavy workload created competing priorities that made their work take longer than it would normally have taken. One regional official explained that when staff have to complete many high-priority tasks, they often split their time among these tasks and thus may need more time to complete each task because they cannot focus on one task at a time. All regional officials agreed that their regions are faced with competing priorities in many areas of the endangered species program. Some stated that they are able to set priorities for the work within each of the program areas. Others stated that priorities in one program area, such as consultation, often pull staff away from other tasks, such as recovery. In addition, almost 50 percent of the supervisors reported difficulties in retaining field staff and cited heavy workload as the principal reason.

Almost all field office supervisors (80 percent) identified methods they developed for addressing their heavy workload and carrying out activities more efficiently. They most often cited consultations that were streamlined (i.e., concurrent agency actions) and programmatic (i.e., multiple actions on a program or regional basis). In fiscal year 2001, supervisors reported that their staff worked on 187 streamlined and 272 programmatic consultations (see footnote 10). Several supervisors noted that their offices also developed form letters to respond to common requests, such as lists of threatened and endangered species found in an area or for technical assistance. Additionally, many supervisors described databases or tracking systems their offices developed to track specific projects, consultations, species, or other workload.

General Work Conditions Were Satisfactory for Most Field Staff

Despite the reported lack of resources and heavy workload, our surveys indicated field staff were generally satisfied with the working conditions in their offices. Field staff were generally satisfied with their ability to travel, attend training courses, obtain access to other staff for knowledge sharing, and obtain computer support, equipment and supplies. About 60 percent of field staff were somewhat to very satisfied with their direct supervisor and overall supervision of the field office. In addition, only 5 percent or less of field office supervisors reported that working conditions were adversely affected to a great or very great extent by a lack of appropriate staff skills

and/or expertise, personnel problems, or lack of money for training. Appendix I provides the national results in more detail.

Surveys Indicated Some Incorrect Time Charges Were Reported

Incorrect reporting of time spent among the program areas could mask how staff actually divided their time among these areas. Thirty-five percent of field office supervisors reported that their office charged staff time to another program area once funds in the relevant program area were depleted. Our survey did not measure how often or to what extent this shifting of time charges occurred. Headquarters officials were surprised to learn that supervisors were reporting that staff time was charged incorrectly and wondered why supervisors did not make reprogramming requests.

Moreover, only half of the field staff responding to our survey reported that they personally recorded the time charges for the program areas on their time sheets. The other half did not record their time charges; instead, someone else (e.g., supervisor, timekeeper, budget officer) recorded their time. Of those staff who did not record their own time charges, 44 percent reported that they had no basis to judge whether the time charges recorded by others accurately reflected the work they had performed. Regional officials explained that staff in large field offices were more specialized and often worked on activities in only one or two program areas. In these cases, timekeepers would know what program areas to charge even if staff did not record their own time. In smaller field offices with only one or two staff working on endangered species activities, regional officials assumed that timekeepers could keep track of each staff member's activities. One regional official told us that it was the region's policy to have staff and their supervisors review and sign their time sheets. Other regional officials stated that they expected the field office supervisors to ensure the accuracy of time charges.

With the exception of the listing program area, Service headquarters has delegated decisions about timekeeping practices to the regional offices. Headquarters does not provide guidance on what specific activities staff should charge to each of the other program areas and how to charge time when activities overlap program areas. Regional officials told us that timekeeping practices varied among their field offices and were often left to the discretion of the field office supervisor. Furthermore, they noted, program activities often overlap because, as the endangered species program has evolved, the separate program areas have become more integrated. For example, field staff could conduct recovery, consultation,

and candidate conservation activities simultaneously when working with a rancher whose federally permitted grazing allotment and private property contain both candidate and listed species. This overlap in activities could make it more difficult for staff and/or their timekeepers to determine which program area codes to use when charging time.

Since the program's funds are used chiefly to pay staff salaries, accurately tracking time spent in each program area would allow the Service to develop accurate historical data on how program funds are used and to determine whether appropriated funds are spent in accordance with budgetary direction. Concerns about the Service's time charges are not new. In 1990, Interior's Office of Inspector General raised concerns about the Service's failure to track actual time spent on the major program areas of listing, consultation, and recovery. The Service has since modified its system for tracking how time is spent by program area. However, our survey results cast doubt on the accuracy of the data being entered into the system, and therefore, the amount of staff resources reportedly devoted to each program area. Incorrect time charges could thus affect the Service's ability to make informed decisions about program operations and resource needs and to provide accountability to Congress on how resources are being spent. For example, headquarters, regional, and field office staff told us they were concerned that they could not spend more time on recovery; and in response to our survey, field staff reported spending only 28 percent of their time on recovery. However, Service reports on how staff spent their time, which are based on staff time charges, showed that in fiscal year 2001, 45 percent of staff time was spent on recovery activities. Some regional officials told us that the difference between 28 and 45 percent could have occurred because administrative staff (who did not participate in our surveys) also may have charged time to endangered species program activities, including recovery. On the other hand, this difference could have occurred because field staff charged their time to recovery when other budgets were exhausted.

Conclusions

The endangered species program poses a monumental challenge—identifying all species at risk of extinction and their critical habitat, conducting multiple activities to reduce that risk, and ultimately recovering listed species. According to the Service, a lack of resources and a heavy workload have made it even more difficult to carry out the act's requirements, but staff have found ways to make their work processes more efficient. Nevertheless, meeting statutory requirements and

mandated time frames and responding to litigation largely drive the workload in some program areas.

Officials in the regions and in the Department of the Interior's Office of the Solicitor cited another opportunity for improved work processes that could help avoid future litigation. These officials noted that staff would benefit from more headquarters guidance on designating critical habitat after listing a new species. Better guidance would help reduce the number of legal challenges to the Service's critical habitat designations and allow the Service to better withstand legal challenges when they arise. Spending less time responding to litigation would help reduce rework and backlogs and allow the Service to implement other listing activities, such as reviewing listing petitions and adding species at the greatest risk of extinction to the list. The Service is taking first steps toward developing such guidance, but it has not set a time for completing this guidance. In the interim, the Service is subject to continuing legal challenges on its decisions on designating critical habitat.

The Service clearly directs how the regional and field offices should implement the endangered species program by dividing appropriated funds into a separate budget for each program area. Recovery—the program's overall mission—receives almost 50 percent of program funds. However, Service officials at all organizational levels acknowledged that staff time available to spend on recovery has been reduced by other more pressing workload priorities that are driven by statutory and legal requirements. Our survey results support this observation, but Service data on how staff spent their time do not fully reflect these circumstances. The difference between the Service's data and the field offices' reported experiences may have resulted from incorrect time charges, which would have presented an inaccurate picture of how staff spent their time. No one knows the extent of this problem. Moreover, many staff activities overlap program areas, making it more difficult to determine which program area to charge when reporting time spent. Consequently the Service is less able to make informed decisions about future program operations and resource needs.

Recommendations for Executive Action

To reduce the influence of litigation on the listing program area, we recommend that the Secretary of the Interior direct the Service to expedite its efforts to develop guidance on designating critical habitat for listed species.

To better understand the relative emphasis given to program areas in the endangered species program and determine whether appropriated funds are being spent in accordance with budgetary direction, we recommend that the Secretary of the Interior direct the Service to review the processes being used across the agency to record time charges. This review would help identify any processes that are vulnerable to recording incorrect data; the extent to which offices are charging time to another program area once funds in the relevant program area are depleted; and the reasons for shifting time charges.

Agency Comments and Our Evaluation

We provided the Department of the Interior with a draft of this report for its review and comment (see appendix V). In its written comments, the Department generally agreed with our recommendation to develop guidance on critical habitat designation. However, it stated that the completion of this guidance has been delayed by other activities, including completing the listing priority guidance (which it believes will reduce future lawsuits, and thus the portion of resources devoted to litigation support costs and compliance with court orders) as well as high-priority listing activities (including those required by courts.). It highlighted several intermediate steps the Service has taken to ensure a more consistent approach to critical habitat designation. For example, in December 2001, the Service held a national "listing" workshop for field and regional staff and solicitors at which the Service provided guidance on critical habitat designations and listing decisions. Additionally, the Service is developing a framework for the economic analysis of critical habitat designations—the subject of much of its "rework" on critical habitat designations—which it expects to be available for public comment by the fall of 2002. While these intermediate steps should help staff to deal with critical habitat designation issues more consistently, we continue to believe that the Service needs to focus on expediting its efforts to finalize its critical habitat designation guidance. Without this guidance, the Service remains vulnerable to future legal challenges on its decisions on designating critical habitat.

The Department also generally agreed with our recommendation to review the processes being used across the agency to record time charges as part of its efforts to implement an activity-based accounting system. However, while the Department agreed that GAO raised valid concerns about time charge inaccuracies, it questioned whether there was sufficient evidence to conclude that spending on endangered species activities was materially different from congressional intent. While our survey did not measure how often or to what extent incorrect time charges were made, our results do

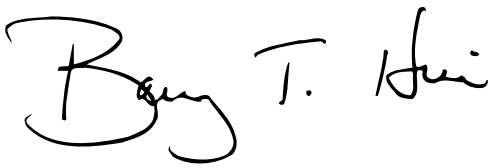
cast doubt on the accuracy of the data being reported on the amount of staff resources devoted to each program area. Without more accurate data, we believe the Service is unable to ensure that resources are being spent in accordance with budgetary direction. Finally, the Department noted that the Service plans to take necessary steps to ensure that the endangered species program is adhering to reprogramming policies and will provide further clarifying guidance to field staff on the types of activities that are funded from each program area.

The Department also provided technical comments, which we have incorporated into the report where appropriate.

We conducted our review from April 2001 through March 2002 in accordance with generally accepted government auditing standards. Appendix IV provides information on our scope and methodology.

As arranged with your office, unless you publicly announce its contents earlier, we plan no further distribution of this report until 10 days after the date of this letter. At that time, we will send a copy of this report to the Secretary of the Interior and appropriate congressional committees. We will make copies available to others on request. In addition, the report will be available at no charge on the GAO Web site at http://www.gao.gov.

If you or your staff have any questions about this report, please contact me at (202) 512-3841. Key contributors to this report are listed in appendix VI.



Barry T. Hill
Director, Natural Resources and Environment

Survey of Field Office Supervisors

United States General Accounting Office
Washington, DC 20548

Fish and Wildlife Service Endangered Species Act (ESA) Program: Survey for Field Office Supervisors

Introduction

The U.S. General Accounting Office (GAO) has been asked by the Chairman, House Committee on Government Reform, to study the Fish and Wildlife Service's implementation of the Endangered Species Act (ESA) Program.

As part of our study, we are surveying supervisors in the Fish and Wildlife Service Ecological Services' Field Offices who supervise ESA work.

This questionnaire asks for information about your ESA budget, staff, and workload.

Your cooperation is critical to our ability to provide current and complete information to the Congress.

You will be notified when the report is issued and you will be able to request a free copy at that time.

If you have any questions, please contact Arleen Alleman, in our Denver office, at allemana@gao.gov or (303) 572-7365 or Julie Gerkens, in our Washington, D.C. office, at gerkensj@gao.gov or (202) 512-9824.

Please return your completed questionnaire to us by August 31, 2001.

Instructions

Please answer the questions taking into consideration the ESA activities in your Field Office and also in any sub-offices or sub-locations that your office directly supervises.

Although your supervisory duties may include programs in addition to ESA, we would like you to answer the questions only considering ESA funding, FTEs, and work.

Questions about ESA staff refer only to individuals who spend all or part of their time carrying out ESA-funded work.

In order to ensure that your data are entered accurately, please use blue or black ink to write in your answers. Return the original copy of the completed questionnaire to us.

We suggest you make a copy of your completed questionnaire for your records.

1

Note: N = 60 unless otherwise noted.

Section I: ESA Staffing

1. **Please list all sub-offices and sub-locations, doing any ESA work, that are directly supervised by your Field Office:**

   Total number of sub-offices and sub-locations reported: 43

   Note: Please include the above sub-offices and sub-locations in the answers you provide in this questionnaire.

2. **How many staff members in your Field Office (including any sub-offices and sub-locations) were given a copy of the "Survey for Scientific/Technical Staff" to complete? 767**

3. **In general, what is the primary way that ESA work in your Field Office is organized and/or assigned?** (*Please check one.*)

   3% (2) ☐ By geographic area
   18% (11) ☐ By areas of expertise
   15% (9) ☐ By sub-activities (e.g., Candidate Conservation, Listings, Critical Habitat Designations, etc.)
   42% (25) ☐ By a combination of geographic area and sub-activities
   22% (13) ☐ Other *Please explain:*

2

4. **Please indicate the full time equivalents (FTEs) for Ecological Services currently in your Field Office. Then indicate the number of those FTEs that are funded by the ESA budget.** (*For example, if there is only one supervisor in Ecological Services and 25% of that person's salary and benefits are paid out of the ESA budget, then the FTE for Supervisors in Ecological Services is 1, while the FTE for Supervisors funded by the ESA budget is .25. When calculating the number of FTEs for Ecological Services, do not include staff who work only on programs outside of Ecological Services, even if they work in the same office.*)

Position	Number of Ecological Services FTEs, including any sub-offices or sub-locations. (*Enter number or, if none, enter 0.*)	FTEs funded by the ESA budget, including any sub-offices or sub-locations. (*Enter number or, if none, enter 0.*)
a. Supervisory (primarily doing management tasks)	**Total: 175** **Min/max: 1-18**	**Total: 112** **Min/max: 0-18**
b. Scientific/Technical (biologists, botanists, ecologists, employees who do GIS work, etc.) Include employees on term appointments who do this work.	**Total: 944** **Min/max: 0-103**	**Total: 541** **Min/max: 0-56**
c. Contract Employees	**Total: 4** **Min/max: 0-2**	**Total: 3** **Min/max: 0-2**
d. Office support, outreach/visual information, and publishing (secretaries, clerks, computer support staff, and individuals whose primary duties are to develop or disseminate educational and/or outreach materials or programs).	**Total: 290** **Min/max: 0-40**	**Total: 161** **Min/max: 0-19**
e. Seasonal/temporary Employees (including paid interns)	**Total: 42** **Min/max: 0-6**	**Total: 22** **Min/max: 0-3**
f. Other *Please describe:* _____	**Total: 28** **Min/max: 0-7**	**Total: 17** **Min/max: 0-7**
_____		
_____		
_____		

3

5. **During the past three years, has your office had difficulty recruiting scientific/technical staff?** (*Please check one.*)

48% (29) ☐ No → *Go to Question 7*
52% (31) ☐ Yes → *Go to Question 6*

6. **Please indicate the reason(s) you believe you have had trouble recruiting scientific/technical staff.** (*Check all that apply.*) **N = 31**

68% (21) ☐ Unable to find people with the right skills and/or qualifications
35% (11) ☐ Heavy workload
23% (7) ☐ High cost of living
48% (15) ☐ Location of Field Office
23% (7) ☐ Low salary
61% (19) ☐ Federal recruiting process
23% (7) ☐ Other *Please explain:*

_____
_____
_____
_____
_____
_____

7. **During the past three years, has your office had difficulty retaining scientific/technical staff?** (*Please check one.*)

53% (32) ☐ No → *Go to Question 9*
47% (28) ☐ Yes → *Go to Question 8*

8. **Please indicate the reason(s) you believe you have had trouble retaining scientific/Technical staff.** (*Check all that apply.*) **N = 28**

57% (16) ☐ Heavy workload
39% (11) ☐ Contentious nature of work
21% (6) ☐ High cost of living
32% (9) ☐ Location of Field Office
25% (7) ☐ Non-competitive salaries
50% (14) ☐ Lack of opportunities for career advancement
18% (5) ☐ Term appointments
29% (8) ☐ Personnel problems in your Field Office (i.e., morale, conduct, performance, attitude)
29% (8) ☐ Other *Please explain:*

_____
_____
_____
_____
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_____

4

9. **Regional offices vary in the amount of guidance (e.g., handbooks, memos, training) they give to Field Offices concerning prioritizing work with respect to projects, e.g., emphasis among sub-activities, which species to work on, and which HCPs to address. How much guidance does the Regional Office give your Field Office in setting its priorities for work done within each of the sub-activities of the ESA budget?** (*Please check one for each row.*)

	Amount of Guidance Given by Regional Office					
Sub-activity	Little or no guidance	Some guidance	A moderate amount of guidance	A great amount of guidance	A very great amount of guidance	No response
a. Candidate Conservation	25% (15)	37% (22)	30% (18)	3% (2)	2% (1)	3% (2)
b. Listings	5% (3)	15% (9)	32% (19)	25% (15)	17% (10)	7% (4)
c. Consultation	23% (14)	32% (19)	28% (17)	15% (9)	0%	2% (1)
d. Recovery	12% (7)	50% (30)	27% (16)	10% (6)	2% (1)	0%
e. Landowner Incentives Program	32% (19)	28% (17)	25% (15)	7% (4)	3% (2)	5% (3)

Note: Percentages may not add to 100 due to rounding.

10. **To what extent does the Regional Office ask for your input in developing the guidance it provides to your Field Office for setting priorities for work done within the ESA sub-activities?** (*Please check one.*)

13% (8) ☐ To a very great extent
25% (15) ☐ To a great extent
37% (22) ☐ To a moderate extent
12% (7) ☐ To some extent
13% (8) ☐ To little or no extent

11. **How useful is the guidance provided by the Regional Office in helping you set ESA work priorities for your Field Office?** (*Please check one.*)

2% (1) ☐ Of little or no use
32% (19) ☐ Of some use
42% (25) ☐ Of moderate use
23% (14) ☐ Of great use
2% (1) ☐ Of very great use

Note: Percentages in questions 10-11 may not add to 100 due to rounding.

5

Please Note: Data from Questions 12 – 15 are not provided because they were deemed unreliable.

Section II: Budget for ESA Program

12. Please indicate the amounts received up to this point from your Regional Office for your FY 2001 ESA budget and other sources of funding. (Include the budgets for any sub-offices or sub-locations in your answer.)

	FY 2001 money received up to this point from the Regional Office for the 5 ESA sub-activities		Other funding for FY2001 ESA work	
	Column 1	*Column 2*	*Column 3*	
Sub-activity:	Total ESA funding provided up to this point by the Regional Office. Do not include amounts reported in Columns 2 and 3. (*Enter total dollar amount or, if none, enter 0.*)	Special line-item funds or Congressional earmarked funds (e.g.,. NW Forest Plan) (*Enter total dollar amount or, if none, enter 0.*)	Money from other sources used for ESA work, including money for salaries. Include any reimbursable funds or funds from any program other than ESA, even if those funds came from outside FWS. (*Enter total dollar amount or, if none, enter 0.*)	Type of Funding (for Column 3)
a. Candidate Conservation	$	$	$	
b. Listing	$	$	$	
c. Consultations	$	$	$	
d. Recovery	$	$	$	
e. Landowner Incentives Program	$	$	$	
TOTALS:	$	$	$ $	

6

13. What amount of your FY 2001 ESA budget was used for non-personnel costs (e.g., travel or supplies)? (*Enter dollar amount or, if none, enter 0.*)

Amount $_____

14. In FY 2001, how much of your ESA budget has been used to pay other entities (e.g., state agencies or contractors) to perform work in one or more of the 5 sub-activities? (*Enter dollar amount or, if none, enter 0.*)

Amount $_____

15. In FY 2001, approximately how much of your ESA budget was spent on developing grant proposals and/or administering grants (including Section 6 grants)? (*Enter dollar amount or, if none, enter 0.*)

Amount $: _____ ☐ ←Check here if you can not provide this information

16. To what extent does the Regional Office ask for your input in developing your ESA budget? (*Please check one.*)

18% (11) ☐ To a very great extent
17% (10) ☐ To a great extent
25% (15) ☐ To a moderate extent
28% (17) ☐ To some extent
12% (7) ☐ To little or no extent

17. In your opinion, to what extent does the Regional Office use your input in developing the ESA budget? (*Please check one.*)

7% (4) ☐ To a very great extent
23% (14) ☐ To a great extent
27% (16) ☐ To a moderate extent
33% (20) ☐ To some extent
10% (6) ☐ To little or no extent

18. In FY 2001, have you had to do any of the following in order to carry out the work of a sub-activity once the money for that sub-activity was depleted? (*Check all that apply.*)

35% (21) ☐ Charge staff time to another sub-activity
15% (9) ☐ Charge staff time to a general operating account
10% (6) ☐ Request approval from the Regional Office to use funds from one sub-activity to fund the work of another sub-activity
3% (2) ☐ Request approval from the Regional Office to use funds from another program to fund the work of an ESA sub-activity
37% (22) ☐ Request additional funding from the Regional Office
18% (11) ☐ Other *Please explain:*

_____
_____
_____
_____
_____
_____

7

Section III: ESA Work Done in Your Field Office, Including Sub-Offices or Sub-Locations Supervised by Your Field Office

19. In general, to what extent does each of the following adversely affect your Field Office's ability to carry out its ESA work? (*Please check one for each row.*)

	To a very great extent	To a great extent	To a moderate extent	To some extent	To little or no extent
a. Lack of funds	**43% (26)**	**30% (18)**	**17% (10)**	**5% (3)**	**5% (3)**
b. Shortage of staff	**38% (23)**	**35% (21)**	**20% (12)**	**3% (2)**	**3% (2)**
c. Lack of appropriate skills and/or expertise in staff **N = 59**	**0%**	**5% (3)**	**22% (13)**	**40% (24)**	**32% (19)**
d. Personnel problems in your Field Office (e.g., morale, conduct, performance, attitude)	**2% (1)**	**2% (1)**	**3% (2)**	**27% (16)**	**67% (40)**
e. Lack of money for continuing professional education training for staff	**0%**	**3% (2)**	**15% (9)**	**35% (21)**	**47% (28)**
f. Turnover of staff	**0%**	**8% (5)**	**17% (10)**	**40% (24)**	**35% (21)**
g. Lack of authority to carry out work **N = 59**	**0%**	**0%**	**2% (1)**	**17% (10)**	**80% (48)**
h. Responding to FOIA requests	**10% (6)**	**10% (6)**	**25% (15)**	**33% (20)**	**22% (13)**
i. Congressional interest in or concern about ESA work	**7% (4)**	**5% (3)**	**20% (12)**	**35% (21)**	**33% (20)**
j. Negative public perceptions of the ESA	**5% (3)**	**18% (11)**	**30% (18)**	**32% (19)**	**15% (9)**
k. Negative public perceptions of the FWS	**5% (3)**	**7% (4)**	**25% (15)**	**37% (22)**	**27% (16)**

Note: Percentages may not add to 100 due to rounding.

8

20. Has your Field Office developed any methods for addressing workload and carrying out activities in a more efficient manner? *(Please check one.)*

17% (10) ☐ No → *Go to Question 21*
80% (48) ☐ Yes → *Please provide a brief description of the method(s).*
3% (2) ☐ No response

_____
_____
_____
_____
_____
_____
_____
_____

Note: For questions 21 through 31, reported actions may not be mutually exclusive among the field offices. In some cases (e.g., listings, recovery plans) multiple offices contributed to the action being reported and therefore more than one office may have reported that action.

21. Using the Candidate Conservation funds, how many Agreements is your Field Office currently developing or implementing with landowners and/or other entities?

	Number of Agreements being developed *(If none, enter 0.)*	Number of Agreements being implemented *(If none, enter 0.)*
Candidate Conservation Agreements	**Total: 70** **Min/max: 0-7**	**Total: 33** **Min/max: 0-9**
Other Agreements *Please specify:* _____ _____ _____	**Total: 19** **Min/max: 0-10**	**Total: 12** **Min/max: 0-7**

9

22. Has your Field Office identified any species that potentially could be placed on the candidate species list? (*Please check one.*)

40% (24) ☐ No → *Go to Question 23*
57% (34) ☐ Yes → *Please list the species, by common name:*
3% (2) ☐ No response

Total number reported: 1002

Min/max: 0-914

23. Is your Field Office currently working on, or has it completed, any Listings in FY 2001? (*Please check one.*)

65% (39) ☐ No → *Go to Question 24*
35% (21) ☐ Yes → *Please list the FY 2001 Listings your Field Office has worked on, or is currently working on.*

FY 2001 Listings, by species (*Please use common name.*)
Total number reported: 49
Min/max: 0-17

10

24. Is your office currently working on, or has it worked on, any Critical Habitat Designations in FY 2001? (*Please check one.*)

35% (21) ☐ No → *Go to Question 25*
65% (39) ☐ Yes → *In the table below, please record the Critical Habitat Designations your Field Office has worked on or is currently working on.*

FY 2001 Critical Habitat Designations, by species (*Please use common name.*)
Total number reported: 429
Min/max: 1-336

11

25. Please indicate the number of pre-application phase and approved section 10 (a)(1)(B) permits your office has worked on, or is working on, in FY 2001.
Note: We do not report the number of species involved in each HCP because the question could be interpreted in more than one way.

Type of HCP	Number of HCPs in pre-application phase (*Enter number or, if none, enter 0.*)	Number of permits approved (*Enter number or, if none, enter 0.*)	Number of species involved for each type of HCP. (*Enter number or, if none, enter 0.*)	Number of programmatic HCPs (i.e., those that involve more than one permit holder) (*Enter number or, if none, enter 0.*)
a. Individual Landowner(s)	**Total: 217** **Min/max: 0-114**	**Total: 120** **Min/max: 0-84**		**Total: 7** **Min/max: 0-4**
b. A county or municipality	**Total: 60** **Min/max: 0-12**	**Total: 7** **Min/max: 0-2**		**Total: 20** **Min/max: 0-10**
c. Multiple counties and/or municipalities	**Total: 42** **Min/max: 0-17**	**Total: 6** **Min/max: 0-3**		**Total: 29** **Min/max: 0-17**
d. Tribal Lands	**Total: 1** **Min/max: 0-1**	**Total: 0** **Min/max: 0**		**Total: 0** **Min/max: 0**
e. State	**Total: 19** **Min/max: 0-3**	**Total: 4** **Min/max: 0-1**		**Total: 4** **Min/max: 0-2**

26. Please indicate the number of Section 7 informal and formal Consultations (as defined by the Consultation Handbook) your office has worked on, or is working on, in FY 2001. Also indicate whether or not these consultations are streamlined or involve more than one permit holder (e.g., programmatic consultations, batched consultations).

Type of Section 7 Consultation	Consultations worked on or currently working on (*Enter number or, if none, enter 0.*)	Consultations that are streamlined (*Enter number or, if none, enter 0.*)	Consultations that are programmatic (i.e., involve more than one permit holder) (*Enter number or, if none, enter 0.*)
Informal	**Total: 46,227** **Min/max: 0-4206**		
Formal	**Total: 1,143** **Min/max: 0-322**	**Total: 187** **Min/max: 0-36**	**Total: 272** **Min/max: 0-116**

12

27. Are there any species in any of the HCPs or Consultations indicated in Questions 24 and 25 that you believe would qualify for de-listing, if funds for the de-listing process were available? (*Please check one.*)

82% (49) ☐ No → *Go to Question 28*
18% (11) ☐ Yes *Please list species (use common name):*

Total number reported: 17

Min/max: 1-3

28. Has your Field Office worked on any Section 10 (a)(1)(A) Recovery Permits in FY 2001? (*Please check one.*)

32% (19) ☐ No → *Go to Question 29*
65% (39) ☐ Yes →*Please indicate the number of permits below.*
3% (2) ☐ No response

Number **Total: 625** ☐ **←Check here if you can not provide this information**
Min/max: 1-170

29. Please indicate the number of Recovery Plans your Field Office is currently developing, the number your Field Office has the lead for developing, the number of plans that will be finalized in FY 2001 and the number of plans that you are currently responsible for implementing.

Number of Species in Plan	Number of Plans your Field Office is developing and/or doing major revisions on (*Enter number or, if none, enter 0.*)	Number of Plans for which you are the lead Field Office (*Enter number or, if none, enter 0.*)	Number of Plans that will be finalized in FY 2001 (*Enter number or, if none, enter 0.*)	Number of Plans being implemented (*Enter number or, if none, enter 0.*)
Plan for a single species	**Total: 102** **Min/max: 0-7**	**Total: 364** **Min/max: 0-43**	**Total: 9** **Min/max: 0-2**	**Total: 716** **Min/max: 0-101**
Plan for multiple species	**Total: 30** **Min/max: 0-10**	**Total: 77** **Min/max: 0-27**	**Total: 3** **Min/max: 0-2**	**Total: 87** **Min/max: 0-27**

13

30. Is your Field Office currently working on, or has it completed, any De-listings in FY 2001? (*Please check one.*)

80% (48) ☐ No → *Go to Question 31*
20% (12) ☐ Yes → *In the table below, please record the De-listings your Field Office has worked on, or is currently working on.*

FY 2001 De-listings, by species (*Please use common name.*)
Total number reported: 25
Min/max: 1-5

31. How many agreements, funded by the Landowner Incentives Program (e.g. candidate conservation agreements with assurances, safe harbor agreements), is your Field Office currently developing or implementing?

Type of Agreement	Number of agreements being developed (*If none, enter 0.*)	Number of agreements being implemented (*If none, enter 0.*)
	Total: 107 **Min/max: 0-25**	**Total: 137** **Min/max: 0-68**

14

32. If you would like to make additional comments concerning any topic covered in this questionnaire, please feel free to use this page or to attach additional pages.

Number of comments supplied: 20

15

Information About Individual(s) Completing This Questionnaire

Please provide the following information on the individuals who completed this questionnaire. (Attach additional sheets if necessary.)

Name: _____

Title: _____

Phone: _____

E-mail: _____

Name: _____

Title: _____

Phone: _____

E-mail: _____

Name: _____

Title: _____

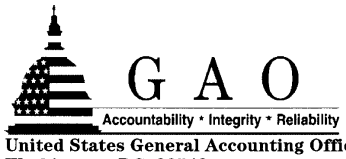
Phone: _____

E-mail: _____

Thank you very much for taking the time to complete this questionnaire!

16

Survey of Field Office Scientific and Technical Staff



United States General Accounting Office
Washington, DC 20548

Fish and Wildlife Service Endangered Species Act (ESA) Program: Survey for Scientific/Technical Staff

Introduction

The U.S. General Accounting Office (GAO) has been asked by the Chairman, House Committee on Government Reform to study the Fish and Wildlife Service's implementation of the Endangered Species Act (ESA) Program.

As part of our study, we are surveying all scientific/technical staff in the Fish and Wildlife Service Ecological Services' Field Offices who perform ESA work.

This questionnaire asks for information about the time you spend on various ESA tasks and the factors that influence your ability to perform your work.

Your cooperation is critical to our ability to provide current and complete information to the Congress.

If you have any questions, please contact Arleen Alleman, in our Denver office, at allemana@gao.gov or (303) 572-7365 or Julie Gerkens, in our Washington, D.C. office, at gerkensj@gao.gov or (202) 512-9824.

Your Field Office will be notified when our report is issued and you will be able to request a free copy at that time.

Instructions
Please Read Before Beginning

- Unless otherwise specified, the following questions refer to ESA work performed up to this point in time in fiscal year 2001.
- In order to ensure that your data are entered accurately, please use blue or black ink to write in your answers. Return the original copy of the completed questionnaire to us.
- When you have completed this questionnaire, you have two options for returning it to us:

1. You can seal your questionnaire in the attached envelope and give it to the individual in charge of distributing and collecting the questionnaires.

or

2. You can send your questionnaire directly to us at the following address:

Alyssa Hundrup
Mail Room 2T23
U.S. General Accounting Office
441 G Street, NW
Washington, DC 20548

Please note that the envelope is not postage-paid and requires 57 cents postage.

Please return your completed questionnaire by <u>August 31, 2001.</u>

1

Note: N = 618 unless otherwise noted.

Section I: Background Information

1. **Field Office Name: A total of 618 staff respondents were included from the 60 field offices surveyed**

2. **Your Position/Title:**

Position	Number of Positions	Percentage
Biologist	443	72%
Supervisor	83	13%
Coordinator	13	2%
Specialist*	79	13%
TOTAL	618	100%

***Includes positions such as ecologist, botanist, hydrologist, toxicologist, and GIS specialist.**

3. **Is your position a permanent position or is it a term position?** (*Please check one.*)

93% ☐ Permanent
6% ☐ Term
1% ☐ No Response

Please use these definitions in answering Question 4:

Ecological Services includes Habitat Conservation (e.g., Partners for Fish and Wildlife and National Wetlands Inventory, Clean Water Act, section 404) and Environmental Contaminants. ESA includes the five sub-activities (Candidate Conservation, Listing, Consultation, Recovery, and the Landowner Incentives Program) that are in the ESA budget.

4. **During Fiscal Year 2001, on average, how many hours per week have you worked on Ecological Services activities and ESA activities?**

	Average number of hours per week worked on Ecological Services Activities (excluding ESA): (*Enter number of hours or, if none, enter 0.*)	Average number of hours per week worked on the five ESA sub-activities: (*Enter number of hours or, if none, enter 0.*)
a. Regular paid time	**Mean: 8.9** **Min/max: 0-40**	**Mean: 30.1** **Min/max: 1-42**
b. Earned comp time	**Mean: .2** **Min/max: 0-6**	**Mean: .8** **Min/max: 0-30**
c. Paid over-time	**Mean: .01** **Min/max: 0-1**	**Mean: .2** **Min/max: 0-15**
d. Time worked without any compensation (money or hours off)	**Mean: .4** **Min/max: 0-25**	**Mean: 1.3** **Min/max: 0-25**

2

Section II: Time Spent on ESA Activities

This section asks you to estimate the percentage of time you have spent, on average, on ESA activities during FY 2001. You may want to read the entire section (Questions 5 – 11) before beginning to answer.

5. **Of the time you spent on ESA activities in FY 2001, please estimate the percent of time, on average, that you spent on each of the following activities.** (*The total percent should add up to 100, even if you do not spend 100% of your time on ESA activities.*)

ESA Activities	Average percent time spent on each activity. (*Record percentages in the boxes below.*)
Candidate Conservation	10%
Listing	8%
Consultation	33%
Recovery	22%
Landowner Incentives Program	5%
General ESA activities (Activities that are part of ESA work that do not fit entirely within just one of the above 5 budget codes. For a description of these activities see Question 11 on page 9.)	22%[a]
Total:	100%

[a] The category of "general endangered species program activities" included such things as supervision, training, and administrative tasks that did not contribute directly to work on one of the program areas. The time spent on these activities was not included when calculating the percentage of time spent on each of the five program areas. See appendix IV for how this calculation was determined.

3

6. **Candidate Conservation Sub-Activity**

Record the percent of time that you spent on tasks associated with the Candidate Conservation Sub-Activity during FY 2001.

Note: *If the percentage of time recorded for this sub-activity for Question 5 (on page 3) was 0, then skip this question and go to Question 7.*

Candidate Conservation Sub-Activity **N= 224**	Average percent of time spent on this task	Are you concerned that you are not able to spend enough time on this activity to be effective in your work? (*Please check yes or no for each task.*)		
Candidate Conservation Tasks		Yes	No	No Response
(a) Conducting studies or gathering information to identify candidate species and, when appropriate, completing the documentation to elevate a species to candidate status.	**26%**	**58%**	**26%**	**17%**
(b) Coordinating and/or assisting public or private agencies or landowners with activities and/or developing agreements to work towards habitat restoration, reintroduction or other conservation activities.	**68%**	**63%**	**30%**	**7%**
(c) Monitoring and evaluating candidate conservation agreements/activities and their effectiveness.	**5%**	**46%**	**30%**	**24%**
Total Percentage:	**100%**			

Note: Percentages may not add to 100 due to rounding.

4

7. **Listing Sub-Activity**

Record the percent of time that you spent on tasks associated with the Listing Sub-Activity during FY 2001.

Note: *If the percentage of time recorded for this sub-activity for Question 5 (on page 3) was 0, then skip this question and go to Question 8.*

Listing Sub-Activity **N= 197**	Average percent of time spent on this task	Are you concerned that you are not able to spend enough time on this activity to be effective in your work? (*Please check yes or no for each task.*)		
Listing Tasks		Yes	No	No Response
(a) Preparation of preliminary (90-day) findings on petitions to list species submitted by the public, including all tasks associated with the petition, including drafting of the finding.	**4%**	**20%**	**46%**	**34%**
(b) Working on special rules (4D) for endangered species.	**3%**	**15%**	**48%**	**37%**
(c) Conducting studies or fieldwork to confirm that a petitioned species may be placed on the candidate list.	**8%**	**32%**	**32%**	**35%**
(d) Preparation of 12-month petition findings, including drafting of the administrative finding.	**4%**	**19%**	**47%**	**34%**
(e) Drafting Federal Register notices for listing and preparing associated documentation.	**13%**	**23%**	**41%**	**35%**
(f) Preparing, conducting, or attending public hearings pertaining to Federal Register proposed rules on listings and responding to public comments.	**3%**	**14%**	**50%**	**36%**
(g) Conducting studies or gathering information in order to respond to a court-ordered listing.	**5%**	**22%**	**42%**	**35%**
(h) Litigation support (if administrative findings or listing determinations are challenged in court).	**12%**	**15%**	**50%**	**35%**
Critical Habitat Tasks				
(i) Conducting studies or gathering information to prepare a critical habitat designation.	**5%**	**37%**	**33%**	**30%**
(j) Drafting Federal Register notices for critical habitat designations and any associated documentation.	**11%**	**23%**	**50%**	**27%**
(k) Preparing, conducting or attending public hearings pertaining to Federal Register proposed rules on critical habitat designation and responding to public comments.	**7%**	**20%**	**54%**	**25%**
(l)Conducting studies or gathering information in order to respond to a court-ordered critical habitat designation.	**17%**	**35%**	**40%**	**25%**
(m) Litigation support (if critical habitat designations are challenged in court).	**9%**	**17%**	**51%**	**32%**
Total Percentage:	**100%**			

Note: Percentages may not add to 100 due to rounding.

5

8. **Consultation Sub-Activity**

Record the percent of time that you spent on tasks associated with the Consultation Sub-Activity during FY 2001.

Note: *If the percentage of time recorded for this sub-activity for Question 5 (on page 3) was 0, then skip this question and go to Question 9.*

Consultation Sub-Activity N = 527	Average percent of time spent on this task	Are you concerned that you are not able to spend enough time on this activity to be effective in your work? (*Please check yes or no for each task.*)		
Section 7 Consultation Tasks		Yes	No	No Response
(a) Talking by telephone or in person to answer questions prior to formal or informal consultations	10%	24%	60%	16%
(b) Discussing or negotiating an informal or formal consultation with a federal agency, representative, or their consultant.	17%	33%	50%	17%
(c) Reviewing biological assessments to determine the effect on species.	9%	34%	48%	19%
(d) Conducting fieldwork to determine the effect on a species for a biological assessment review.	2%	55%	22%	23%
(e) Drafting or reviewing NEPA documents describing proposed actions.	4%	27%	47%	26%
(f) Preparation or review of biological opinions.	15%	40%	38%	22%
(g) Drafting and review of concurrence letters.	12%	21%	56%	23%
(h) Responding to requests for a list of species in a consultation action area.	6%	11%	62%	27%
(i) Monitoring the compliance of biological opinion terms and conditions.	2%	54%	20%	27%
(j) Litigation support relative to section 7 actions.	2%	12%	51%	37%
Section 10 HCP Tasks				
(k) Discussing or negotiating a specific HCP with an applicants or their representatives or consultants.	8%	20%	31%	49%
(l) Conducting fieldwork and/or site visits at potential HCP areas.	2%	24%	27%	49%
(m) Assisting in the development or drafting of HCPs.	3%	21%	30%	49%
(n) Reviewing and commenting on HCPs and permit issuance documentation.	3%	17%	32%	51%
(o) Drafting or reviewing NEPA documents describing proposed actions.	2%	13%	35%	53%
(p) Drafting Federal Register notices for HCPs and preparing associated documentation.	1%	7%	40%	54%
(q) Preparing, conducting or attending public hearings pertaining to Federal Register proposed rules on HCPs and responding to public comments.	0%	8%	38%	55%
(r) Monitoring the implementation of the HCP and the terms of agreement.	1%	22%	27%	52%
(s) Litigation support relative to habitat conservation planning efforts.	1%	7%	38%	56%
Total Percentage	100%			

Note: Percentages may not add to 100 due to rounding.

6

9. **Recovery Sub-Activity:**

Record the percent of time that you spent on tasks associated with the Recovery Sub-Activity during FY 2001.

Note: *If the percentage of time recorded for this sub-activity for Question 5 (on page 3) was 0, then skip this question and go to Question 10.*

Recovery Sub-Activity N = 381	Average percent of time spent on this task	Are you concerned that you are not able to spend enough time on this activity to be effective in your work? (*Please check yes or no for each task.*)		
Recovery Tasks		Yes	No	No Response
(a) Conducting fieldwork for a recovery plan.	7%	37%	28%	36%
(b) Gathering information (e.g. literature reviews necessary to prepare a recovery plan.	5%	30%	36%	34%
(c) Developing draft or final recovery plans.	7%	24%	40%	35%
(d) Coordinating with others or working with a recovery team to develop a recovery plan.	9%	32%	37%	31%
(e) Drafting Federal Register notices for recovery plans and preparing associated documentation.	1%	10%	47%	43%
(f) Preparing, conducting, and attending public hearings pertaining to Federal Register proposed rules on recovery plans and responding to public comments.	1%	12%	47%	41%
(g) Implementing specific tasks included in final recovery plans.	19%	54%	18%	28%
(h) Amending and revising recovery plans.	5%	30%	30%	40%
(i) Monitoring species status such as tracking population changes in habitat conditions, and increases or decreases of threats.	15%	60%	19%	21%
(j) Encouraging public and private agencies and landowners to enhance or restore habitats or reduce impacts to species for the purposes of recovery.	24%	59%	21%	20%
(k) Preparing NEPA documentation for recovery tasks undertaken by the Service.	4%	14%	43%	43%
De-listing Tasks				
(l) Gathering information (e.g. literature review) or working with others to obtain information necessary for de-listing.	2%	22%	33%	45%
(m) Drafting Federal Register notices for de-listing and preparing associated documentation.	1%	7%	43%	49%
(n) Preparing, conducting, and attending public hearings pertaining to Federal Register proposed rules on de-listings and responding to public comments.	0%	7%	43%	51%
Total Percentage:	100%			

Note: Percentages may not add to 100 due to rounding.

7

10. **Landowner Incentives Program Sub-Activity**

Record the percent of time that you spent on tasks associated with the Landowner Incentives Program Sub-Activity during FY 2001.

Note: *If the percentage of time recorded for this sub-activity for Question 5 (on page 3) was 0, then skip this question and go to Question 11.*

Landowner Incentives Program Sub-Activity N = 108	Average percent of time spent on this task	Are you concerned that you are not able to spend enough time on this activity to be effective in your work? (*Please check yes or no for each task.*)		
Landowner Incentives Program Tasks		Yes	No	No Response
(a) Coordinating meetings and activities to develop and maintain partnerships and/or agreements with landowners (specific to the Landowner Incentives Program)	**33%**	**57%**	**29%**	**14%**
(b) Working with others to develop Landowner Incentives grant proposals or to administer Landowner Incentives grants.	**46%**	**51%**	**38%**	**11%**
(c) Monitoring and evaluating landowner incentive agreements/activities.	**21%**	**54%**	**30%**	**16%**
Total Percentage:	**100%**			

Note: Percentages may not add to 100 due to rounding.

8

11. General ESA Activities

Record the percent of time that you spent on General ESA Activities Tasks during FY 2001.

Note: *If the percentage of time recorded for this activity for Question 5 (on page 3) was 0, then skip this question and go to Question 12.*

General ESA Activities N = 494	Average percent of time spent on this task	Are you concerned that you are not able to spend enough time on this activity to be effective in your work? (*Please check yes or no for each task.*)		
General ESA Tasks		Yes	No	No Response
(a) Talking by telephone or in person to answer questions about ESA-related issues (not related to specific on-going projects such as section 7 consultations).	**15%**	**22%**	**60%**	**18%**
(b) Working with applicants to prepare grant applications or working on grant review, processing, or administration (including any section 6 grants, but excluding those that were funded by the Landowner Incentives Program Sub-activity).	**9%**	**27%**	**37%**	**36%**
(c) Developing or implementing reimbursable agreements.	**2%**	**13%**	**43%**	**44%**
(d) Administrative duties such as assembling records, data entry, processing internal paperwork, attending office meetings etc.	**12%**	**26%**	**52%**	**22%**
(e) Attending training courses, conferences, etc. related to ESA.	**5%**	**38%**	**39%**	**23%**
(f) Supervising, teaching, or training staff, coordinating with other staff, or reviewing the work of other staff members.	**41%**	**37%**	**39%**	**24%**
Outreach Activities				
(g) Developing general education materials or planning or implementing outreach activities such as workshops, symposia, and meetings.	**4%**	**34%**	**32%**	**34%**
(h) Providing specific training to others outside FWS on ESA related issues.	**3%**	**29%**	**32%**	**39%**
(i) Responding to congressional inquiries.	**3%**	**8%**	**53%**	**39%**
(j) Responding to Freedom of Information Act (FOIA) inquiries.	**5%**	**11%**	**54%**	**35%**
(k) Other Please specify: _____ _____ _____	**0%**	**6%**	**4%**	**90%**
Total Percentage:	**100%**			

Note: Percentages may not add to 100 due to rounding.

9

Section III: Work Conditions in Your Field Office

12. How satisfied are you with each of the following work conditions in your Field Office? (*Check one box for each row.*)

Work condition	Very satisfied	Somewhat satisfied	Neither satisfied nor dissatisfied	Somewhat dissatisfied	Very dissatisfied
a. Equipment or supplies **N = 608**	**39%**	**41%**	**9%**	**10%**	**2%**
b. Computer support (e.g., data entry, technical support) **N = 612**	**43%**	**30%**	**7%**	**16%**	**5%**
c. Access to other FWS staff, either within or outside your Field Office, for knowledge sharing **N = 612**	**45%**	**32%**	**10%**	**10%**	**3%**
d. Travel money and/or opportunity to travel **N = 611**	**37%**	**33%**	**16%**	**11%**	**3%**
e. Staff turnover **N = 607**	**15%**	**13%**	**34%**	**21%**	**17%**
f. Personnel conditions in your Field Office (i.e., morale, conduct, performance, attitude) **N = 611**	**24%**	**26%**	**16%**	**19%**	**16%**
g. Opportunity for advancement **N = 612**	**19%**	**29%**	**22%**	**19%**	**11%**
h. Opportunities to work on species that you specialize in **N = 607**	**22%**	**26%**	**29%**	**16%**	**8%**
i. Training in office and/or ESA guidelines/policies **N =610**	**20%**	**36%**	**24%**	**16%**	**4%**
j. Professional training, both ESA specific and continuing professional education **N = 614**	**25%**	**36%**	**18%**	**16%**	**6%**
k. Number of scientific/ technical staff in Field Office **N = 613**	**18%**	**30%**	**16%**	**22%**	**15%**
l. Amount of clerical/secretarial help **N = 615**	**26%**	**32%**	**15%**	**19%**	**8%**
m. Quality of the direct supervision you receive from your Field Office **N =612**	**37%**	**28%**	**13%**	**12%**	**10%**
n. Quality of overall supervision in Field Office **N =611**	**29%**	**31%**	**14%**	**16%**	**11%**
o. Quality of guidance from the Regional Office **N = 611**	**10%**	**25%**	**33%**	**23%**	**9%**

Note: Percentages may not add to 100 due to rounding.

10

13. To what extent does each of the following conditions make your work take longer than you think it would normally take? (*Check one box for each row.*)

Condition	To a very great extent	To a great extent	To a moderate extent	To some extent	To little or no extent	Not applicable
a. Public's lack of knowledge and/or misunderstanding of the ESA **N = 615**	**19%**	**30%**	**23%**	**19%**	**6%**	**3%**
b. Negative public perceptions of the ESA **N = 615**	**19%**	**26%**	**23%**	**20%**	**8%**	**3%**
c. Negative public perceptions of the FWS **N = 615**	**11%**	**18%**	**25%**	**22%**	**20%**	**3%**
d. Complicated or controversial negotiations with landowners or developers **N = 613**	**17%**	**22%**	**23%**	**15%**	**8%**	**15%**
e. Complicated or controversial negotiations with federal agencies **N = 614**	**15%**	**25%**	**27%**	**16%**	**9%**	**8%**
f. Complicated or controversial multi-partner, regional, county, or state-wide HCPs **N =606**	**9%**	**12%**	**10%**	**7%**	**9%**	**53%**
g. Responding to FOIA requests **N =614**	**7%**	**8%**	**15%**	**22%**	**22%**	**25%**
h. Congressional interest in or concern about ESA work **N = 612**	**5%**	**9%**	**15%**	**27%**	**26%**	**17%**
i. Competing priorities due to heavy workload **N = 614**	**47%**	**24%**	**16%**	**8%**	**4%**	**1%**

Note: Percentages may not add to 100 due to rounding.

14. Regional and Field Offices vary in the amount of guidance (e.g., handbooks, memos, training) they give to professional/technical staff concerning prioritizing work with respect to projects, e.g., emphasis among sub-activities, which species to work on, and which HCPs to address. In general, how much guidance do you receive from your Regional and Field Offices in determining how you set your priorities for the ESA work you do? (*Please check one.*)

19% ☐ Little or no guidance
31% ☐ Some guidance
31% ☐ A moderate amount of guidance
15% ☐ A great amount of guidance
2% ☐ A very great amount of guidance
1% ☐ No response

15. How much guidance do you receive from your supervisor in determining how you set your priorities for the ESA work you do? (*Please check one.*)

15% ☐ Little or no guidance
27% ☐ Some guidance
33% ☐ A moderate amount of guidance
18% ☐ A great amount of guidance
6% ☐ A very great amount of guidance
1% ☐ No response

16. Who records the Ecological Services and/or ESA job codes on your time and attendance report? (*Please check one.*)

49% ☐ You do it yourself
49% ☐ Someone else in your office does it for you (e.g., supervisor, timekeeper, budget officer)
2% ☐ No response

17. In general, to what extent do you believe the ESA job codes charged reflect the actual work that you did during that pay period? (*Please check one.*)

17% ☐ To a very great extent
25% ☐ To a great extent
15% ☐ To a moderate extent
11% ☐ To some extent
5% ☐ To little or no extent
25% ☐ No basis to judge
1% ☐ No response

Note: Percentages in questions 14-17 may not add to 100 due to rounding.

12

18. If you would like to make additional comments concerning any topic covered in this questionnaire, please feel free to use this page or to attach additional pages.

Number of additional comments supplied: 248

Thank you very much for taking the time to complete this questionnaire!

13

Selected National and Regional Survey Results

This appendix provides selected results from the survey of field office supervisors (appendix I) and the survey of field staff (appendix II). This information is presented at the national level and broken out by region.

Field Staff Time Spent on Endangered Species Program Areas

Table 4 presents information on how field staff reported spending their time among the five endangered species program areas in fiscal year 2001.

Table 4: Percentage of Time Field Staff Spent among Program Areas by Region

Program Area[a]	National	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7
	N = 618	N = 316	N = 57	N = 33	N = 110	N = 34	N = 63	N = 5
Consultation	42	35	69	41	34	59	53	22
Recovery	28	28	12	35	36	29	18	33
Candidate Conservation	13	13	5	13	15	6	20	2
Listing	10	15	10	7	8	4	4	39
Landowner Incentives	6	9	3	4	7	2	5	3

Note: Percentages may not add to 100 due to rounding.

[a] The survey included a category for time spent on "general endangered species program activities," e.g., supervision, training, and administrative tasks that did not contribute directly to work on one of the program areas. Field staff estimated that they spent 22 percent of their time on general endangered species activities. The time spent on these activities was not included when calculating the percentage of time spent on each of the five program areas. See appendix IV for information on time use calculations.

Source: GAO survey of scientific and technical staff, questions 4-10.

Table 5 presents information on the percentage of time field staff spent on the major activities within each program area (consultation, recovery, candidate conservation, listing, landowner incentives) in fiscal year 2001. For example, staff spent about 80 percent of their consultation time conducting section 7 consultation tasks, and the remaining 20 percent conducting section 10 habitat conservation planning tasks.

Table 5: Percentage of Time Field Staff Spent on Major Activities within Each Program Area by Region

Program Area/Activities	National	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7
Consultation	N = 527	N = 266	N = 54	N = 30	N = 93	N = 28	N = 52	N = 4
Conducting section 7 consultation tasks	80	75	82	84	58	99	97	100
Conducting section 10 HCP tasks	20	25	18	17	42	1	3	0
Recovery	N = 381	N = 174	N = 39	N = 25	N = 76	N = 23	N = 43	N = 1
Developing or revising recovery plans	34	43	33	27	37	8	24	35
Implementing specific recovery plan tasks	62	53	63	68	63	87	74	40
Conducting delisting tasks	4	4	4	5	a	5	2	26
Candidate conservation	N = 224	N = 98	N = 32	N = 16	N = 35	N =14	N = 26	N = 3
Gathering information to identify candidate species	26	23	56	61	28	48	6	50
Coordinating or developing conservation activities and/or agreements	68	73	40	38	67	38	87	50
Monitoring and evaluating agreements	5	4	4	1	5	14	7	0
Listing	N = 197	N = 103	N = 22	N = 9	N = 26	N = 3	N = 33	N = 1
Conducting work to add species to the threatened or endangered list	51	48	55	14	76	88	80	29
Designating critical habitat for listed species	49	52	45	86	24	12	20	71
Landowner incentives	N = 108	N = 49	N = 9	N = 11	N = 23	N = 8	N = 7	N = 1
Coordinating with landowners	33	41	46	18	24	10	35	45
Developing or administering agreements	46	47	30	72	40	50	53	10
Monitoring and evaluating agreements	21	13	24	10	37	40	13	45

[a] Less than 1 percent.

Source: GAO survey of scientific and technical staff, questions 4-10.

Fiscal Year 2001 Reported Activity Levels

Table 6 presents information on endangered species activities worked on or completed, by region during fiscal year 2001, as reported by field office supervisors.

Table 6: Reported Activity Levels by Region, Fiscal Year 2001[a]

Activity	National	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7
Section 7 consultations								
Informal consultations	46,227	2,716	3,499	10,232	13,796	9,587	6,054	343
Formal consultations	1,143	697	150	18	96	34	141	7
Section 10 HCPs in development								
HCP with individual landowner	217	62	118	3	22	5	7	0
HCP with county(s) or municipality(s)	102	75	4	2	15	0	6	0
HCP with state(s)	19	11	1	0	3	3	1	0
Section 10 HCPs – incidental take permits approved								
HCP with individual landowner	120	27	86	1	4	0	2	0
HCP with county(s) or municipality(s)	13	11	1	0	1	0	0	0
HCP with state(s)	4	2	0	0	2	0	0	0
Recovery plans being developed or revised								
Single species plan	102	40	12	15	15	5	12	3
Multiple species plan	30	26	0	0	3	0	1	0

(Continued From Previous Page)

Activity	National	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7
Recovery plans being implemented								
Single species plan	716	124	45	73	345	92	35	2
Multiple species plan	87	53	0	0	32	0	2	0
Candidate conservation agreements								
Agreements being developed	89	33	23	7	5	3	18	0
Agreements being implemented	45	13	19	2	1	1	4	5
Listing actions								
Listings	49	30	2	3	5	1	7	1
Critical habitat designations	429	387	8	7	16	2	6	3
Agreements funded by landowner incentives								
Agreements being developed	107	15	31	8	17	24	11	1
Agreements being implemented	137	16	1	1	27	10	14	0

[a] Reported actions may not be mutually exclusive among the field offices. In some cases, multiple offices may have contributed to the action being reported and therefore more than one office may have reported that action.

Source: GAO survey of field office supervisors, questions 21-31.

Scope and Methodology

This appendix presents the scope and methodology we used to determine how the Service budgets and allocates its funds for the endangered species program and what program activities the field offices emphasized in fiscal year 2001. We interviewed officials at three levels within the Service: headquarters, the seven regional offices, and several of the Service's 60 field offices that carry out endangered species program activities. In addition, to obtain more detailed information on program workload and implementation issues in the field, we developed, pretested, and mailed out two separate questionnaires. One questionnaire was completed and returned by supervisors at all 60 field offices that implement the endangered species program, and the other questionnaire was completed and returned by 83 percent of the 767 scientific and technical field staff who carried out endangered species program activities in fiscal year 2001.

Interviews with Service Officials

To better understand how endangered species program funds were budgeted and then allocated by headquarters to the regional offices, we interviewed headquarters officials in the Fish and Wildlife Service's Division of Budget and Finance and Division of Endangered Species. To determine how the regional offices distributed the funds to their field offices, we surveyed all seven regional offices using a set of open-ended questions concerning their funding allocation methods. To determine how the endangered species program was carried out in fiscal year 2001, we interviewed officials in the Department of the Interior's Office of the Solicitor and Office of Inspector General, and the Fish and Wildlife Service's Division of Budget and Finance, Division of Endangered Species, officials in the seven regional offices, and supervisors and staff in several field offices. We also surveyed all seven regional offices using a set of open-ended questions concerning their endangered species workload and implementation. Additionally, we reviewed the program goals and requirements established in the Endangered Species Act and related Service policies, guidance, budgets, and other program documents.

Survey Methodology

To obtain more detailed information on program workload and implementation issues in the field, we developed, pretested, and mailed out two separate questionnaires. To determine which field offices to include in our survey, we asked regional officials to identify which of their field offices conducted endangered species program activities. Table 7 shows the field offices identified by regional officials that we included in our surveys. A small number of other Fish and Wildlife Service field offices may have received endangered species funds in fiscal year 2001 to carry out

specific tasks or projects. Staff in these offices do not normally provide endangered species program services, so their respective regional offices did not identify them for inclusion in our surveys. Additionally, three recovery programs in Region 6 were not included in our survey because they were not originally identified by the region as responsible for implementing the endangered species program. We later learned that staff in these programs spend their time on recovery activities.

Table 7: Field Offices Surveyed by Region

Region 1 - Pacific	Region 2 - Southwest	Region 3 - Great Lakes	Region 4 - Southeast	Region 5 - Northeast	Region 6 - Mountain Prairie	Region 7 - Alaska
Sacramento, Calif.	Phoenix, Ariz.	Bloomington, Ind.	Asheville, N.C.	Concord, N.H.	Lakewood, Colo.	Anchorage, Alaska
Carlsbad, Calif.	Albuquerque, N.Mex.	Chicago, Ill.	Raleigh, N.C.	Cortland, N.Y.	Denver, Colo.	Fairbanks, Alaska
Ventura, Calif.	Tulsa, Okla.	Columbia, Mo.	Charleston, S.C.	Pleasantville, N.J.	Manhattan, Kans.	Juneau, Alaska
Arcata, Calif.	Arlington, Tex.	East Lansing, Mich.	Athens, Ga.	Annapolis, Md.	Salt Lake City, Utah	
Klamath Falls, Ore.	Austin, Tex.	Green Bay, Wis.	Conway, Ark.	State College, Pa.	Bismarck, N.Dak.	
Red Bluff, Calif.	Houston, Tex.	Reynoldsburg, Ohio	Cookeville, Tenn.	Gloucester, Va.	Pierre, S.Dak.	
Yreka, Calif.	Corpus Christi, Tex.	Rock Island, Ill.	Daphne, Ala.		Grand Island, Nebr.	
Boise, Idaho		Twin Cities, Minn.	Jackson, Miss.		Helena, Mont.	
Portland, Ore.			Jacksonville, Fla.		Cheyenne, Wyo.	
Reno, Nev.			Panama City, Fla.			
Lacey, Wash.			Vero Beach, Fla.			
Spokane, Wash.			Lafayette, La.			
Honolulu, Hawaii			Boqueron, P.R.			
			Rio Grande, P.R.			

We developed the survey questions by reviewing program policy documents and handbooks and interviewing headquarters and regional officials, and field office staff about work performed in the field offices. The questionnaire for field office supervisors included questions about budget, staff, and workload. The questionnaire for the scientific and technical staff contained a series of questions about how work time was divided among the different program areas and specific activities within each area. It also contained questions about the factors influencing work performance.

We pretested the content and format of the questionnaires with supervisors at 6 field offices and with 16 scientific and technical staff at 5 field offices. We conducted pretests in Oregon, California, Colorado, New Jersey, North Carolina, and Florida to give us a good mix of size and geographical coverage. During pretesting, we simulated the actual survey experience by meeting with supervisors and staff members in individual sessions. We first asked the individual to complete the appropriate questionnaire and then we conducted a semi-structured interview to determine whether (1) the questions were clear, (2) the terms used were precise, (3) the questionnaire placed an undue burden on the respondents, and (4) the questions were unbiased. On the basis of the pretesting, changes were made to the final questionnaire.

In mid-August, 2001, each field office supervisor was sent a packet that contained a field office supervisor questionnaire and questionnaires for all scientific and technical staff working on the endangered species program in the field office and any sub-offices associated with the field office. (Supervisors later verified the number of scientific and technical staff in their field offices and sub-offices.) In order to maintain the anonymity of the scientific and technical staff, we did not obtain a list of their names, nor did we ask them to identify themselves in their questionnaires. We included postage-paid return envelopes for supervisors to use when returning their questionnaires. Scientific and technical staff were instructed to either (1) give the completed questionnaire in a sealed envelope to the supervisor to return in the postage-paid envelope, or (2) mail the questionnaire directly to GAO. We asked that all questionnaires be returned within 2 weeks. We sent email reminders to supervisors after approximately 1 week, and then again at the end of 2 weeks. We followed up with phone calls to those supervisors who had not yet responded. In several regions where response rates were low for the scientific and technical staff, we asked supervisors to send out a general reminder to their scientific and technical staff. We received questionnaires from all 60 field office supervisors, for a response

rate of 100 percent. We also received questionnaires from 636 of the 767 scientific and technical staff, for a response rate of 83 percent.

Calculation of Time Spent in Program Areas

Many of the scientific and technical staff who completed the questionnaire spent only part of their time working on endangered species program activities. In order to calculate the amount of time spent on each of the program areas as a percentage of the total time spent on endangered species program, the questionnaire asked the staff to estimate the average number of hours per week spent on endangered species program work. It then asked respondents to indicate the average percent of time spent on the different program areas and on "general endangered species program activities."[11] It also asked respondents to further divide up the time they spent on each of the program areas by assigning a percentage to each task in a list of specific tasks for that area so that the percentages assigned to tasks added to 100 percent. Staff estimated these percentages based on their recall of how much time they had spent on ESA activities over almost a year's time. Although we have no way of verifying the accuracy of these percentages, during our pretest procedures staff told us that they believed their estimates to be reasonably accurate.

To determine the percentage of time spent on each program area and on each task within that program area, we made the following calculations:

1. For each respondent, the number of hours spent on a program area was the total number of endangered species program hours worked multiplied by the percent of time spent on that program area. For example, if a respondent indicated she spent 30 hours a week on the endangered species program and 50 percent of that time was spent on candidate conservation, then the amount of time she spent on candidate conservation was 30 x .50, or 15 hours per week.

2. For each respondent, the number of hours spent on a specific task (within a program area) was the number of hours spent on that program area multiplied by the percent of time spent on that task. For example, if the respondent (above) indicated that she spent 10 percent of her time on the candidate conservation task of monitoring and

[11]The category of "general endangered species program activities" included such things as supervision, training, and administrative tasks that did not contribute directly to work on one of the program areas. The time spent on these activities was not included when calculating the percentage of time spent on each of the five program areas

evaluating agreements, then the amount of time she spent on monitoring and evaluating would be .10 x 15 (hours per week spent on candidate conservation) or 1.5 hours per week spent on the candidate conservation task of monitoring and evaluating.

3. The total hours spent on a program area was the sum, across all respondents, of the number of hours spent on that program area.

4. The total hours spent on a specific task was the sum, across all respondents, of the number of hours spent on that task.

5. The percent of time spent on each program area was the total hours spent on the program area (#3) divided by the total time spent on all program areas (#3 summed across all 5 program areas).

6. The percent of time spent on each task was the total hours spent on that task (#4) divided by the total hours spent on that program area (#3).

Comments from the Fish and Wildlife Service

United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

June 14, 2002

Mr. Barry T. Hill
Director, Natural Resources and Environment
U.S. General Accounting Office
441 G Street, N.W.
Washington, D.C. 20548

Dear Mr. Hill:

Thank you for providing the Department of the Interior the opportunity to review and comment on the draft U.S. General Accounting Office report entitled, "*Endangered Species Program: Information on How Funds Are Allocated and What Activities Are Emphasized*," (GAO-02-581) dated May 17, 2002.

While we agree that fieldwork conducted by GAO raises valid concerns that there may be inaccuracies in how endangered species program activities are charged to budgetary elements, we do not believe the fieldwork performed was sufficient to conclude that spending on endangered species activities is materially different than how Congress intended. Nevertheless, we take the report findings seriously, and will implement improvements to help ensure that the U. S. Fish and Wildlife Service's (Service) systems, policies, practices and procedures more fully ensure that program activities are being charged to proper budgetary elements.

Regarding the general recommendation to review the processes being used across the agency to record time charges, the Service will implement the recommendation in conjunction with the Department's efforts to implement Activity Based Costing by FY 2004. The Service will also take necessary steps to ensure that the endangered species program is adhering to reprogramming policies and will provide further clarifying guidance to field staff on the types of activities that are funded from each program element by July 15, 2002.

In regard to the recommendation for the development of guidelines on when and how to designate critical habitat for new listings, while we concur with the general recommendation that the Service should make every effort to develop guidance for the field and regional offices on critical habitat designation, completion of this guidance continues to be impacted by the need to complete other activities, including the listing priority guidance (which we believe will reduce future lawsuits, and thus reduce the portion of our resources that have to be devoted to compliance with court orders as well as litigation support costs) as well as high-priority listing activities (including those required by courts). Although we have not completed overall critical habitat guidance, we have taken several significant steps including conducting a national listing workshop, held in December 2001 and attended by more than 100 Service field and regional representatives (and Solicitor's office attorneys) from throughout the country, which was held to provide guidance to field and

regional staff and to ensure a consistent approach to critical habitat designations and listing decisions was being conveyed to the Regions and the field stations. The workshop included presentations and discussions of a number of the topics to be included in future critical habitat guidance. In addition, we are developing a framework for the economic analysis of critical habitat designations, as much of our "rework" on critical habitat designations is due to incomplete economic analyses. We expect this document to be available for public review and comment by fall 2002.

We take the recommendation in the draft report very seriously, and agree that the Service headquarters should provide additional guidance on critical habitat designations. We intend to complete this guidance as soon as possible.

The enclosure provides specific comments from the U.S. Fish and Wildlife Service and the Department's Office of Budget for your consideration. We hope our comments will assist you in preparing the final report.

Sincerely,

For Assistant Secretary for Fish
and Wildlife and Parks

Enclosure

GAO Contacts and Staff Acknowledgments

GAO Contacts

Barry T. Hill (202) 512-3841
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Acknowledgments

In addition to those named above, Mary Acosta, Arleen Alleman, Sandra Davis, Alyssa M. Hundrup, and Lynn Musser made key contributions to this report. Important contributions were also made by Nancy Crothers, Doreen S. Feldman, Kathleen Gilhooly, and Carol Herrnstadt Shulman.

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