

**1Supporting Statement A for
Paperwork Reduction Act Submission**

OMB Control Number 1018-0133

**Control and Management of Resident Canada Geese
50 CFR 20.21, 21.49, 21.50, 21.51, 21.52 and 21.61**

Terms of Clearance. None.

1. Explain the circumstances that make the collection of information necessary.

Under the Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703 et seq.), the U.S. Fish and Wildlife Service (we, Service) is responsible for ensuring that migratory bird populations do not become threatened or endangered. In 2006, we issued regulations that established two depredation orders and three control orders to allow control and management of resident Canada goose populations without permits. The regulations:

- Allow State and tribal wildlife management agencies, airports, and landowners sufficient flexibility, within predefined guidelines, to reduce resident Canada goose populations.
- Authorize airports, landowners, and State and tribal wildlife agencies (or their authorized agents) to conduct (or allow) management activities, including the take of birds, on resident Canada goose populations.
- Authorize direct population control strategies.

Under this program, the individual States, tribes, or directed public (airports and landowners) are authorized to implement the provisions of the regulations within Service guidelines. In addition to specific strategies, we will continue the use of special and regular hunting seasons, issued under 50 CFR 20, and the issuance of depredation permits and special Canada goose permits, issued under 50 CFR 21.41 and 21.26, respectively.

To fulfill our responsibility to conserve migratory birds, we must be able to estimate how many geese are being taken. We also need to know that birds are being taken for purposes that comply with the MBTA.

2. Indicate how, by whom, how frequently, and for what purpose the information is to be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, explain how the collection complies with all applicable Information Quality Guidelines.

We use the information required in 50 CFR Part 21, Subpart E to monitor the status of resident Canada goose populations and to assess the impacts that this alternative regulatory strategy may have on resident Canada goose populations.

Except for the nest and egg depredation order, there is no specified form for providing the information. The nest and egg depredation order employs a web-based computer registration system with screens designed to collect the appropriate information.

Airport Control Order - 50 CFR 21.49 - airports and military airfields operating under this order

must:

- Submit information on birds carrying metal leg bands to the Bird Banding Laboratory (21.49(d)(4)). OMB has approved this information collection under OMB Control No. 1028-0082. This information is used to track geographic movement and survival of individual birds.
- Submit an annual report summarizing activities, including the date and numbers and location of birds, nests, and eggs taken by December 31 (21.49(d)(8)). We use this information to monitor the resident Canada goose populations in different areas of the country.
- Immediately report to the appropriate migratory bird office, the take of any species protected under the Endangered Species Act (ESA) (21.49(d)(1)). This information ensures that the program does not exceed incidental take limits authorized under Section 7 of the ESA.

Nest and Egg Depredation Order - 50 CFR 21.50 - landowners operating under this order must:

- Register with the Service using our web-based registration system (<https://epermits.fws.gov/eRCGR>) (21.50(d)(1)). Registration includes name of landowner, names of designated agents, location of management activities, and contact information. The registration is valid for 1 year; the registrant must renew the registration each year he or she wishes to take nests and eggs. To renew the registration, the registrant must review the information and certify that it is correct. If any information entered during initial registration has changed, the registrant only needs to enter the revised information. We use this information for enforcement purposes and to contact registrants when there are questions regarding their report information. Screen shots of the registration Web site and a copy of the User Guide are attached as supplementary documents.
- Complete an annual report summarizing the date (month), numbers, and location of nests and eggs taken by October 31 (21.50(d)(6)). We use this information to monitor the effectiveness of the program and the cumulative effect of the take of nests and eggs on various subpopulations of resident Canada goose populations in different areas of the country. We distribute reports of the numbers of nests and eggs taken, by State and county, annually to the States, Flyway Councils, and other Service biologists for their use in determining allowable take by other methods, including hunting seasons. We now also include this information on the registration Web site.
- Immediately report to the appropriate migratory bird office, the take of any species protected under the ESA (21.50(d)(8)). This information ensures that the program does not exceed incidental take limits authorized under Section 7 of the ESA.

Agricultural Depredation Order - 50 CFR 21.51

- Authorized agricultural producers and their employees and agents must submit information on birds carrying metal leg bands to the Bird Banding Laboratory (21.51(d)(5)). This information is used to track geographic movement and survival of individual birds. OMB has approved this information collection under OMB Control No. 1028-0082.
- Authorized agricultural producers must (1) keep and maintain a log that indicates the date and number of birds killed and the date and number of nests and eggs taken under this authorization; maintain the log for a period of 3 years (and records for 3 previous

years of takings at all times thereafter); and make the log and any related records available to Federal, State, or tribal wildlife enforcement officers (21.51(d)(8)).

- States and tribes must submit by December 31 an annual report summarizing activities, including the numbers and county of birds, nests, and eggs taken (21.51(d)(10)). We use this information to monitor the resident Canada goose populations in different areas of the country.
- Persons operating under this order must immediately report to the appropriate migratory bird office, the take of any species protected under the ESA (21.51(d)(12)). This ensures that the program does not exceed incidental take limits authorized under Section 7 of the ESA.

Public Health Control Order - 50 CFR 21.52 - States and tribes must:

- Submit information on birds carrying metal leg bands to the Bird Banding Laboratory (21.52(e)(4)). This information is used to track geographic movement and survival of individual birds. OMB has approved this information collection under OMB Control No. 1028-0082.
- Submit by December 31 an annual report summarizing activities, including the numbers and county of birds taken (21.52(e)(9)). We use this information to monitor the resident Canada goose populations in different areas of the country.
- Immediately report to the appropriate migratory bird office, the take of any species protected under the ESA (21.52(e)(10)). This ensures that the program does not exceed incidental take limits authorized under Section 7 of the ESA.

Population Control of Resident Canada Geese - 50 CFR 21.61 - States and tribes:

- May request approval for the population control program. Requests must include a discussion of the State's or tribe's efforts to address its injurious situations or a discussion of the reasons why the methods authorized by these regulations are not feasible for dealing with, or applicable to, the injurious situations that require further action. Requests must provide detailed information of the injuries that continue, why the authorized methods have not worked, and why methods not utilized could not resolve the injuries (21.61(d)). This information is necessary for us to access whether or not the program should be authorized.
- Must keep annual records of activities carried out under the authority of the program including (1) the number of individuals participating in the program; (2) the number of days individuals participated in the program; (3) the total number of resident Canada geese shot and retrieved during the program; and (4) the number of resident Canada geese shot but not retrieved (21.61(d)(7)). We use this information, in conjunction with take under other methods and hunting seasons, to determine cumulative impacts on the various goose populations.
- Must submit by June 1 an annual report summarizing activities conducted under the program and an assessment of the continuation of injuries (21.61(d)(7)(iv)). We use this information to determine if we should continue to authorize program activities.
- Must provide by August 1 an annual estimate of the breeding population and distribution of resident Canada geese in their State (21.61(h)). We use this information to monitor

the impacts of this program, as well as other authorized activities, on the population and to determine if we should continue to authorize program activities.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden [and specifically how this collection meets GPEA requirements].**

We have an electronic registration and reporting Web site (<https://epermits.fws.gov/eRCGR>) for landowners operating under the nest and egg depredation order (50 CFR 21.50) as the sole information collection method. All phases of the site development are complete, including summaries of the data collected, which are available to the general public on the site's login page. For all other activities associated with this ICR, we accept responses electronically (email), by fax, or by regular mail.

- 4. Describe efforts to identify duplication.**

The information that we collect is not available from any other source. Other than the general identifying information (name, address, telephone number, email address), the information collected is unique for each depredation and control order.

- 5. If the collection of information impacts small businesses or other small entities, describe the methods used to minimize burden.**

We collect only the minimum information necessary to help us effectively manage bird populations and identify potential problems. Small businesses or other small entities are affected primarily by the nest and egg depredation order, which requires online registration and reporting in order to destroy resident Canada goose nests and eggs. Although we require that registrations be renewed each year, registrants do not need to reenter information if the information entered during the initial registration is still current..

- 6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

Not conducting this information collection would compromise our ability to conserve resident Canada goose populations in an informed and responsible manner and could consequently jeopardize the health of resident Canada goose populations in the United States. The information is necessary to ensure that the program complies with MBTA and treaty terms. Further, because of other current and potential impacts on these goose populations (primarily special and regular hunting seasons), we believe that accurate and complete annual monitoring of take is justified.

- 7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**
 - * requiring respondents to report information to the agency more often than quarterly;**
 - * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- * in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- * requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

There are no circumstances that require us to collect the information in a manner inconsistent with OMB guidelines.

8. **Provide the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice (or in response to a PRA statement) and describe actions taken by the agency in response to these comments.**

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and phone numbers of persons contacted.]

On May 2, 2012, we published a notice in the Federal Register (77 FR 26032) announcing our intent to request that OMB renew this information collection. In that notice, we solicited comments for 60 days, ending on July 2, 2012. We received one comment from Wyoming Game and Fish Department (Wyoming) in response to that notice.

Wyoming generally supported the information collection to document and monitor control and management activities for resident Canada geese. However, it did not support the level of detail the Service requests in the annual reports, stating that it puts an unnecessary burden on respondents and has no practical utility. Although Wyoming does not indicate which of the depredation orders they are referring to, only the control order for resident Canada geese at agricultural facilities (21.51), the public health control order (21.52), and the population control approval request (21.61) involve State agencies. To date, the State of Wyoming has not operated under any of these orders.

The control order for agricultural facilities allows State wildlife agencies and tribes to authorize landowners, operators, and tenants actively engaged in commercial agriculture to conduct direct damage management actions. These entities must maintain records of the date and number of geese and eggs taken and provide it to their agency upon request. The State or tribal agency must provide the Service with an annual summary of the number of geese, nests, and eggs destroyed broken down by month so we can monitor the overall take of resident Canada geese

and the continued use and effectiveness of the regulation.

The public health control order may be implemented by State and tribal wildlife agencies. The State or tribal agency must provide the Service with an annual summary of the number of geese, nests, and eggs destroyed broken down by county. Very few geese are taken under this order.

The population control order allows States and tribes to designate participants to act as their agents under this order. The State or tribe must keep records of the following information and provide an annual summary to the Service: (1) the number of individuals participating in the program; (2) the number of days individuals participated in the program; (3) the total number of resident Canada geese shot and retrieved; and (4) the number shot but not retrieved.

Overall, we agree that the most important information the Service and States need to monitor these populations is the number of geese, nests, and eggs destroyed and the population status. However, the general time and location of any geese taken under the various depredation and control orders provides valuable insight and ongoing review of the regulations' continued effectiveness, or lack thereof. For example, we would expect that over time, the numbers of geese taken with the various orders should trend downward, especially in locations where they are continually implemented. Further, the information helps us determine whether the existing regulations should be revised or expanded due to either changing conditions, population status, or new conflicts. We would readily consider any potential changes in the existing regulations if information warranted such changes and have made minor revisions and clarifications to the regulations since their promulgation.

Lastly, Wyoming believed that we should have stated in our 60-day Federal Register notice that State agencies may require State permits in order for airports to operate under the control order for resident Canada geese at airports and military airfields (21.49), and for landowners to take nests and eggs under the nest and egg depredation order (21.50). Although we do not state this in the Federal Register notice for this information collection, that point is made clear in the regulations for these orders.

In addition to our notice, we contacted the following six individuals who registered to take nests and eggs under the nest and egg order. We asked for information about their experience with the registration Web site, including:

- Whether or not the web pages and instructions are clear
- How long it takes to log on and complete registration, including time to review instructions, gather and maintain data, and enter it into the system.
- How long it takes to log on and complete the annual report, including time to review instructions, gather and maintain data, and enter the data into the system.
- Ways to minimize the burden

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Three individuals responded. All believed our burden estimates were generous and the Web site generally was easy to navigate. Two individuals commented that they experienced access problems when the Web site did not recognize their password. Over the past year, other users experienced problems accessing the site or being kicked out part way through registration. As a result of these problems, we replaced the Web site on June 11, 2012. We have had no access problems since then. We agreed to implement one commenter's suggestion to clarify that if the registrant addles the eggs in one nest throughout the season and does not destroy the nest, you count that nest only once. He also suggested adding an Edit link to each section to reduce the amount of time needed to navigate the site and we are considering that programming suggestion. (Note: Goose egg addling is a wildlife management method of population control for Canada Geese and other bird species. The process of "addling" involves temporarily removing fertilized eggs from the nest, testing for embryo development, terminating embryo development, and placing the egg back in the nest. Returning the egg to the nest misleads the goose into believing the egg is still developing. Otherwise, the goose would begin laying eggs again. Three egg treatment techniques authorized by the Depredation Order are oiling, puncturing, and shaking and are most useful when the presence of adult geese can be tolerated, but goslings are not desired.)

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

We do not provide gifts or payments to respondents.

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

We do not provide any assurance of confidentiality. The information that we collect is subject to the requirements of the Privacy Act and the Freedom of Information Act. Information collected is handled in accordance with a Privacy Act System of Records (Interior, FWS-21) (68 FR 52610), which provides a description of the system, including purposes and routine uses of the records.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

We do not ask questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

We anticipate receiving approximately 8,708 responses totaling 4,280 annual burden hours for this information collection. Completion times vary substantially depending on the activity. The table below displays estimates based on our experience over the last 3 years. We estimate the total dollar value of the burden hours to be **\$147,271** (rounded).

50 CFR 21.49, 21.50, 21.51, and 21.52 require those operating under the deprecation orders to immediately report the take of any species protected under the ESA (21.51(d)(12)). Although we have never received any reports of endangered species being taken, we have included two responses as placeholders for these requirements.

Regulation/ Activity	Annual Number of Responses	Completion Time (hours) Per Response	Total Annual Burden Hours	Hourly Rate w/ Benefits*	\$ Value of Annual Burden Hours
21.49–Airport Control Order					
Annual Report - Private Sector	25	1.5	38	\$28.35	\$ 1,077.30
- Govt	25	1.5	38	\$40.28	1,530.64
21.50–Nest & Egg Depredation Order					
Initial Registration - Individuals	126	0.5	63	\$29.78	1,876.14
- Private Sector	674	0.5	337	\$28.35	9,553.95
- Govt	200	0.5	100	\$40.28	4,028.00
Renew Registration - Individuals	374	0.25	94	\$29.78	2,799.32
- Private Sector	2,026	0.25	507	\$28.35	14,373.45
- Govt	600	0.25	150	\$40.28	6,042.00
Annual Report - Individuals	500	0.25	125	\$29.78	3,722.50
- Private Sector	2,700	0.25	675	\$28.35	19,136.25
- Govt	800	0.25	200	\$40.28	8,056.00
21.51–Agricultural Depredation Order					
Recordkeeping - Private Sector	600	0.5	300	\$28.35	8,505.00
Annual Report - Govt	20	8	160	\$40.28	6,444.80
21.52–Public Health Control Order					
Annual Report (Govt)	20	1	20	\$40.28	805.60
21.49, 21.50, 21.51, & 21.52—Take of Endangered Species (Private Sector)	2	.025	1	\$28.35	28.35
21.61–Population Control Approval Request					
Recordkeeping & Report (Govt)	8	24	192	\$40.28	7,733.76
Population Estimates (Govt)	8	160	1,280	\$40.28	51,558.40
Totals	8,708		4,280		\$147,271.46

We used the Bureau of Labor Statistics news release USDL-12-1124, June 7, 2012, Employer Costs for Employee Compensation—March 2012 (<http://www.bls.gov/news.release/pdf/ecec.pdf>), to estimate average hourly wages and calculate benefits:

- Individuals - We used the wage and salary costs for all workers from Table 1, which states an hourly rate of \$21.27. To calculate benefits, we multiplied the hourly rate by 1.4. The hourly rate including benefits is \$29.78.

- Private Sector - We used the wage and salary costs for all workers from Table 5, which states an hourly rate of \$20.25. To calculate benefits, we multiplied the hourly rate by 1.4. The hourly rate including benefits is \$28.35.
- State Government - We used the wage and salary costs for all workers from Table 3, which states an hourly rate of \$26.85. To calculate benefits, we multiplied the hourly rate by 1.5. The hourly rate including benefits is \$40.28.

13. Provide an estimate of the total annual [nonhour] cost burden to respondents or recordkeepers resulting from the collection of information.

We have not identified any nonhour costs associated with this information collection.

14. Provide estimates of annualized costs to the Federal Government.

We estimate the annual cost to the Federal Government to administer this information collection to be **\$18,597**.

Salary Costs - \$18,297 (\$60.99 X 300 hours)

Annually, we estimate that Federal staffs spend 150 hours on nest and egg registration administration and 150 hours to collect and assess data. Using the Office of Personnel Management Salary Table 2012-DCB, the salary rate for a GS-12/step 5 is \$60.99 including benefits (\$40.66 hourly rate multiplied by 1.5 to account for benefits). For purposes of this collection, we used the same rate as an average for work performed by coordinators in our Regional Offices. We calculated the benefits in accordance with BLS news release USDL-12-1124, June 7, 2012.

Other Costs (paper and mailing) - \$300

15. Explain the reasons for any program changes or adjustments.

We are estimating 8,708 responses totaling 4,280 burden hours for this collection, which is a net increase of 3,873 responses and a net decrease of 3,981 burden hours from our prior request.

Program changes: 3,002 responses totaling 752 annual burden hours. These program changes reflect requirements erroneously omitted in our previous submission.

- 50 CFR 21.50 - Renew Registration – 3,000 responses totaling 751 burden hours.
- 50 CFR 21.49 – 21.52 - Report Take of Endangered Species – 2 responses totaling 1 burden hour.

Adjustments: 871 responses and -4,733 annual burden hours. Based on our outreach and experience in administering this collection over the past 3 years, we have (1) reestimated the number of responses for some depredation orders and (2) reduced the time required for annual reporting under the Nest and Egg Depredation Order.

16. For collections of information whose results will be published, outline plans for

tabulation and publication.

We will not publish the results of this information collection. However, on the nest and egg registration Web site, we do post annual summaries of registration information, including the number of registrants by State and the number of nests destroyed by State and county. We will post the summaries the year following the report year, after we examine the data for anomalies.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We will display the OMB control number and expiration date on the nest and egg registration Web site as well as on other appropriate materials.

18. Certification.

There are no exceptions to the certification statement.