

implementing regulations (50 CFR 17.22 and 40 CFR 1506.6, respectively).

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-HQ-MB-2018-N150; FF09M21200-189-FXMB1232090000; OMB Control Number 1018-0133]

#### Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Control and Management of Resident Canada Geese

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

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

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

**DATES:** Interested persons are invited to submit comments on or before January 25, 2019.

**ADDRESSES:** Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov); or via facsimile to (202) 395-5806. Please provide a copy of your comments to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803 (mail); or by email to [Info\\_Coll@fws.gov](mailto:Info_Coll@fws.gov). Please reference OMB Control Number 1018-0133 in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this ICR, contact Madonna L. Baucum, Service Information Collection Clearance Officer, by email at [Info\\_Coll@fws.gov](mailto:Info_Coll@fws.gov), or by telephone at (703) 358-2503. You may also view the ICR at <http://www.reginfo.gov/public/do/PRAMain>.

**SUPPLEMENTARY INFORMATION:** In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised,

and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on April 6, 2018 (83 FR 14879). We received one comment in which the commenter objected to the collection of this information, but did not specifically address the information collection requirements. We did not make changes to our requirements as a result of that comment.

We are again soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) is the collection necessary to the proper functions of the Service; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Service enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Service minimize the burden of this collection on the respondents, including through the use of information technology.

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

**Abstract:** The Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*) prohibits the take, possession, import, export, transport, sale, purchase, or bartering of migratory birds or their parts, except as permitted under the terms of a valid permit or as permitted by regulations. In 2006, we issued regulations establishing two depredation orders and three control orders that allow State and Tribal wildlife agencies, private landowners, and airports to conduct resident Canada goose population management, including the take of birds, nest and eggs. We monitor the data collected for activities under these orders and may rescind an order if monitoring indicates that activities are

inconsistent with conservation of Canada geese.

**Control order for airports.** Our regulations at 50 CFR 21.49 allow managers at commercial, public, and private airports and military airfields and their employees or agents to implement management of resident Canada geese to resolve or prevent threats to public safety. An airport must be part of the National Plan of Integrated Airport Systems and have received Federal grant-in-aid assistance or be a military airfield under the jurisdiction, custody, or control of the Secretary of a military department. Each facility exercising the privileges of the order must submit an annual report with the date, numbers, and locations of birds, nests, and eggs taken.

**Depredation order for nests and eggs.** Our regulations at 50 CFR 21.50 allow private landowners and managers of public lands to destroy resident Canada goose nests and eggs on property under their jurisdiction, provided they register annually on our website at <https://epermits.fws.gov/eRCGR>. Registrants must provide basic information, such as name, address, phone number, and email, and identify where the control work will occur and who will conduct it. Registrants must return to the website to report the number of nests with eggs they destroyed.

**Depredation order for agricultural facilities.** Our regulations at 50 CFR 21.51 allow States and Tribes, via their wildlife agencies, to implement programs to allow landowners, operators, and tenants actively engaged in commercial agriculture to conduct damage management control when geese are committing depredations, or to resolve or prevent other injury to agricultural interests. State and Tribal wildlife agencies in the Atlantic, Central, and Mississippi Flyway portions of 41 States may implement the provisions of the order. Each implementing agricultural producer must maintain a log of the date and number of birds taken under this authorization. Each State and Tribe exercising the privileges of the order must submit an annual report of the numbers of birds, nests, and eggs taken, and the county or counties where take occurred.

**Public health control order.** Our regulations at 50 CFR 21.52 authorize States and Tribes of the lower 48 States to conduct (via the State or Tribal wildlife agency) resident Canada goose control and management activities when the geese pose a direct threat to human health. States and Tribes operating under this order must submit an annual report summarizing activities, including

the numbers of birds taken and the county where take occurred.

**Population control.** Our regulations at 50 CFR 21.61 establish a managed take program to reduce and stabilize resident Canada goose populations when traditional and otherwise authorized management measures are not successful or feasible. A State or Tribal wildlife agency in the Atlantic, Mississippi, or Central Flyway may request approval for this population control program. If approved, the State or Tribe may use hunters to harvest resident Canada geese during the month of August. Requests for approval must include a discussion of the State's or Tribe's efforts to address its injurious situations using other methods, or a discussion of the reasons why the methods are not feasible. If the Service Director approves a request, the State or Tribe must (1) keep annual records of activities carried out under the authority

of the program, and (2) provide an annual summary, including number of individuals participating in the program and the number of resident Canada geese shot. Additionally, participating States and Tribes must monitor the spring breeding population by providing an annual estimate of the breeding population and distribution of resident Canada geese in their State or on their Tribal lands.

Our regulations at 50 CFR 21.49, 21.50, 21.51, and 21.52 require that persons or entities operating under the depredation and control orders must immediately report the take of any species protected under the Endangered Species Act (ESA). This information ensures that the incidental take limits authorized under section 7 of the ESA are not exceeded.

**Title of Collection:** Control and Management of Resident Canada Geese,

50 CFR 20.21, 21.49, 21.50, 21.51, 21.52, and 21.61.

**OMB Control Number:** 1018-0133.  
**Form Number:** None.

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

**Respondents/Affected Public:** State fish and wildlife agencies, Tribes, and local governments; airports; landowners; and farms.

**Total Estimated Number of Annual Respondents:** 8,698.

**Total Estimated Number of Annual Responses:** 8,698.

**Estimated Completion Time per Response:** Varies from 15 minutes to 8 hours, depending on activity.

**Total Estimated Number of Annual Burden Hours:** 3,360.

**Respondent's Obligation:** Required to obtain or retain a benefit.

**Frequency of Collection:** Annually.

**Total Estimated Annual Nonhour Burden Cost:** None.

Regulation/activity	Annual number of responses	Completion time per response (hours)	Total annual burden hours *
<b>21.49—Airport Control Order (Annual Report)</b>			
Private Sector .....	25	1.5	38
Government .....	25	1.5	38
<b>21.50—Nest and Egg Depredation Order (Initial Registration)</b>			
Individuals .....	126	0.5	63
Private Sector .....	674	0.5	337
Government .....	200	0.5	100
<b>21.50—Nest and Egg Depredation Order (Renew Registration)</b>			
Individuals .....	374	0.25	94
Private Sector .....	2,026	0.25	507
Government .....	600	0.25	150
<b>21.50—Nest and Egg Depredation Order (Annual Report)</b>			
Individuals .....	500	0.25	125
Private Sector .....	2,700	0.25	675
Government .....	800	0.25	200
<b>21.51—Agricultural Depredation Order (Recordkeeping)</b>			
Private Sector .....	600	0.5	300
<b>21.51—Agricultural Depredation Order (Annual Report)</b>			
Government .....	20	8	160
<b>21.52—Public Health Control Order</b>			
Government .....	20	1	20
<b>21.49, 21.50, 21.51, and 21.52—Report Take of Endangered Species</b>			
Private Sector .....	2	0.25	1
<b>21.61—Population Control Approval Request (Annual Report and Recordkeeping)</b>			
Annual Report—Gov't .....	3	12	36
Recordkeeping—Gov't .....	12	36	36

Regulation/activity	Annual number of responses	Completion time per response (hours)	Total annual burden hours *
<b>21.61—Population Control Approval Request (Population and Distribution Estimates)</b>			
Government .....	3	160	480
<i>Totals:</i> .....	<i>8,698</i>	.....	<i>3,360</i>

\* Rounded.

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

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

Dated: December 19, 2018.

**Madonna Baucum,**

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

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R1-ES-2018-N100;  
FXES11140100000-189-FF01E00000]

**Proposed Crestmont Farm Safe Harbor Agreement for the Taylor’s Checkerspot Butterfly in Benton County, Oregon**

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

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), have received an enhancement of survival permit application from Crestmont Farm pursuant to the Endangered Species Act of 1973. The permit application includes a draft safe harbor agreement (SHA) developed for the conservation of the Taylor’s checkerspot butterfly. The permit would authorize the incidental take of the endangered Taylor’s checkerspot butterfly associated with habitat management actions intended to benefit the butterfly. We have prepared a draft environment action statement (EAS) for our preliminary determination that the SHA and permit decision may be eligible for categorical exclusion under the National Environmental Policy Act. We are making the permit application package, including the proposed SHA and draft EAS, available for public review and comment.

**DATES:** To ensure consideration, written comments must be received from

interested parties no later than January 25, 2019.

**ADDRESSES:** To request further information or submit written comments, please use one of the following methods, and note that your information request or comments are in reference to the “Crestmont Farm SHA.”

- *Internet:* Documents may be viewed on the internet at <http://www.fws.gov/oregonfwo/>.
- *Email:* [CrestmontSHAComments@fws.gov](mailto:CrestmontSHAComments@fws.gov).

- *U.S. Mail:* State Supervisor, U.S. Fish and Wildlife Service; 2600 SE 98th Avenue, Suite 100; Portland, OR 97266.

- *Fax:* 503-231-6195, Attn:

Crestmont Farm SHA.

- *In-Person Drop-off, Viewing, or Pickup:* Comments and materials received will be available for public inspection, by appointment (necessary for viewing or picking up documents only), during normal business hours at the U.S. Fish and Wildlife Service (at the above address); call 503-231-6179 to make an appointment. Written comments can be dropped off during regular business hours at the above address on or before the closing date of the public comment period (see **DATES**).

**FOR FURTHER INFORMATION CONTACT:** Richard Szlemp, U.S. Fish and Wildlife Service (see **ADDRESSES**); telephone: 503-231-6179; facsimile: 503-231-6195. If you use a telecommunications device for the deaf, please call the Federal Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** We have received an enhancement of survival permit application from Crestmont Farm pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The requested permit would authorize the incidental take of the Taylor’s checkerspot butterfly (*Euphydryas editha taylori*) in exchange for habitat conservation actions that are expected to provide a net conservation benefit for the species. The permit application includes a proposed safe harbor agreement (SHA) that describes the existing baseline conditions, and the activities that are intended to produce a net conservation benefit for Taylor’s checkerspot butterfly.

**Background**

Section 9 of the ESA prohibits the take of fish and wildlife species listed as endangered or threatened under section 4 of the ESA. Under the ESA, 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 (16 U.S.C. 1532(19)). The term “harm,” as defined in our regulations, includes significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3). The term “harass” is defined in our regulations as an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns, which include, but are not limited to, breeding, feeding, or sheltering (50 CFR 17.3). Under specified circumstances, however, we may issue permits that authorize take of federally listed species, provided the take is incidental to, but not the purpose of, an otherwise lawful activity. Regulations governing permits for endangered species are at 50 CFR 17.22.

Under a SHA, participating landowners voluntarily undertake management activities on their property to enhance, restore, or maintain habitat benefiting species listed under the ESA. SHAs, and the subsequent enhancement of survival permits that are issued pursuant to section 10(a)(1)(A) of the ESA, encourage private and other non-federal property owners to implement conservation efforts for listed species by providing assurances that they will not be subjected to increased property use restrictions as a result of their efforts to attract listed species to their property, or to increase the numbers or distribution of listed species already on their property. Application requirements and issuance criteria for enhancement of survival permits through SHAs are found in 50 CFR 17.22(c). As provided for in the Service’s final Safe Harbor Policy (64 FR 32717; June 17, 1999), SHAs provide assurances that allow the property owner to alter or modify their