

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

**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**

Terms of Clearance: None.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

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.

This program authorizes individual States, tribes, or directed public (airports and landowners) to implement the provisions of the regulations within Service guidelines. In addition to the specific strategies covered under this program, 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. OMB approved the information collection requirements for both of these programs under OMB Control No. 1018-0022.

To fulfill our responsibility to conserve migratory birds, we must be able to estimate the take geese that the take of birds complies with the MBTA.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

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. We use this information 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. We uploaded screen shots of the registration Web site and a copy of the User Guide as supplementary documents in ROCIS.
- 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 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.
- *Recordkeeping Requirement (Private Sector Only)* - Authorized agricultural producers must:
 - 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)).
- *Reporting Requirement (States and Tribes Only)* - States and Tribes must submit by December 31 an annual report summarizing activities, including the numbers of birds, nests, and eggs taken and county where 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. We anticipate receiving nearly 100% of responses electronically.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

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 any 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.

Permit regulations (50 CFR 13.46) require that records of any taking, possession, transportation, sale, purchase, barter, export or import of wildlife pursuant to a permit be maintained for 5 years from the expiration date of the permit. The statute of limitations for enforcement is 5 years.

Accidental take of species federally listed as threatened or endangered must be reported within 48 hours to ensure the carcasses are protected in a way that would not preclude use as evidence in any law enforcement action.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On April 6, 2018, we published in the *Federal Register* ([83 FR 14879](#)) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on June 5, 2018. We received the following comments in response to that Notice:

Comment 1: Comment received from Jean Public on April 7, 2018. Commenter was against killing Canada geese.

FWS Response to Comment 1: The commenter did not address the information collection requirements in the notice. No action required.

In addition to publishing the Federal Register Notice, we solicited feedback on the information collection requirements from the four administrative Flyway Councils who are familiar with this collection of information in order to validate our time burden estimates. We extended the response period for an additional three months to October 2, 2018, to allow the Flyway Councils sufficient time to consider and submit comments following their annual meetings in August and September. Despite this additional time, we received no comments from any of the Flyway Councils.

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 (Permits System-Interior, FWS-21, September 4, 2003, 68 FR 52610; modification published June 4, 2008, [73 FR 31877](#)), which provides a description of the system, including purposes and routine uses of the records.

We updated the SORN references in each IC within ROCIS to reflect the 2008 modification.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

We do not ask questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.
- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here.

We anticipate receiving approximately **8,698 responses** totaling **3,360 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 **\$133,800 (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.

We used the of Bureau of Labor Statistics (BLS) News Release [USDL-18-1499](#), September 18, 2018, Employer Costs for Employee Compensation—June 2018, to calculate the total annual burden.

- Individuals. Table 1 lists the hourly rate for all workers as \$36.22, including benefits.
- Private Sector. Table 5 lists the hourly rate for all workers \$34.19, including benefits.
- Government. Table 3 lists the hourly rate for all workers as \$49.23, including benefits.

Regulation/ Activity	% Reporting Electronically	Annual Number of Responses	Completion Time Per Response (Hours)	Total Annual Burden Hours*	Hourly Rate w/Benefits	\$ Value of Annual Burden Hours
21.49–Airport Control Order (Annual Report)						
Private Sector	50%	25	1.5	38	\$ 34.19	\$ 1,299.22
Government	50%	25	1.5	38	49.23	1,870.74
21.50–Nest & Egg Depredation Order (Initial Registration)						
Individuals	100%	126	0.5	63	36.22	2,281.86
Private Sector	100%	674	0.5	337	34.19	11,522.03
Government	100%	200	0.5	100	49.23	4,923.00
21.50–Nest & Egg Depredation Order (Renew Registration)						
Individuals	100%	374	0.25	94	36.22	3,404.68
Private Sector	100%	2,026	0.25	507	34.19	17,334.33
Government	100%	600	0.25	150	49.23	7,384.50
21.50–Nest & Egg Depredation Order (Annual Report)						
Individuals	100%	500	0.25	125	36.22	4,527.50
Private Sector	100%	2,700	0.25	675	34.19	23,078.25
Government	100%	800	0.25	200	49.23	9,846.00
21.51–Agricultural Depredation Order (Recordkeeping)						
Private Sector	0%	600	0.5	300	34.19	10,257.00
21.51–Agricultural Depredation Order (Annual Report)						
Government	50%	20	8	160	49.23	7,876.80
21.52–Public Health Control Order						
Government	50%	20	1	20	49.23	984.60
21.49, 21.50, 21.51, & 21.52—Report Take of Endangered Species						
Private Sector	50%	2	0.25	1	34.19	34.19
21.61–Population Control Approval Request (Annual Report and Recordkeeping)						
Annual Report – Gov’t	25%	3	12	36	49.23	1,772.28
Recordkeeping – Gov’t			12	36	49.23	1,772.28
21.61–Population Control Approval Request (Population and Distribution Estimates)						
Government	0%	3	160	480	49.23	23,630.40
Totals:		8,698		3,360		\$ 133,799.60

*Rounded

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- * The cost estimate should be split into two components: (a) a total capital and

start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

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

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

We estimate the annual cost to the Federal Government to administer this information collection to be **\$21,423** (\$21,123 for salary and \$300 for other costs). 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 [2018-DCB](#), the fully burdened salary rate for a GS-12/step 5 is \$70.41, including benefits (\$44.27 hourly rate multiplied by 1.59 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-18-1499](#), September 18, 2018, Employer Costs for Employee Compensation—June 2018.

Salary Costs - \$21,123 (\$70.41 X 300 hours)

Other Costs (paper and mailing) - \$300

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

We are not reporting any program changes or adjustments.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used.

Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

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. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement.